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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 24, 1965

The House met at 11 o'clock a.m.

The Reverend V. L. Daughtry, Jr., First Methodist Church, Cuthbert, Ga., offered the following prayer:

God, grant the gifts of historical insight and understanding to this assembly of representative government.

Give to it a sensitivity to the failure and glory of the past.

Give to it an awareness of duty and mission in the present.

Give to it a vision of hope and confidence for the future.

Give to it the courageous ability to distinguish each time from the other. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 2091. An act relating to the establishment of concession policies in the areas administered by National Park Service, and for other purposes;

H.R. 2358. An act for the relief of Tony Boone;

H.R. 2772. An act for the relief of Ksenija Popovic;

H.R. 8035. An act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd estate, for addition to the Fire Island National Seashore, and for other purposes;

H.R. 9417. An act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes;

H.J. Res. 309. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 7059. An act to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes; and

H.R. 10871. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10871) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. HAYDEN, Mr. RUSSELL of Georgia, Mr. ELLENDER, Mr. MAGNUSON, Mr. HOLLAND, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1855. An act to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes;

S. 2126. An act for the relief of Sook Ja Kim, Ai Ja Kim, and Min Ja Kim; and

S. Con. Res. 53. Concurrent resolution authorizing the printing of the report of the proceedings of the 42d biennial meetings of the Convention of American Instructors of the Deaf as a Senate document.

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed Mr. Moss as an alternate delegate to the 11th North Atlantic Treaty Organization Parliamentary Conference to be held in New York, N.Y., October 4 to 9, 1965.

THE LATE HON. WILLIAM C. COLE

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, I rise to give expression to the sadness and deep regret which all who knew him feel upon the passing of our former colleague, William C. Cole.

Bill Cole served four terms in the House of Representatives. He represented the old Third District of Missouri from 1943 to 1949, and the present Sixth District in 1953 and 1954. During those terms, he served on the House Committees on Invalid Pensions, on Rivers and Harbors, on House Administration, on Post Office and Post Roads and its successor Post Office and Civil Service.

Bill Cole was a patriot who not only served his country in the Congress and later as a member of the Board of Veterans' Appeals, but also had the distinction of defending his Nation with service in both the Army and the Navy.

In 1916 he served in the Army under Gen. John J. Pershing in the Mexican campaign against Pancho Villa. He was mustered out shortly before the United States entered World War I, and he enlisted in the Navy only 8 days after this country declared war.

Bill Cole was a Republican. He was a good Republican. He was loyal to his party, and he served his party well both in public office and out. He was especially active in veterans' legislation, and in support of rural electrification programs, soil conservation, and a balanced farm economy.

From this side of the aisle, and from a person who at one time opposed him in an election campaign, let it be stated that Bill Cole placed country before any political consideration.

I am sure that his lovely wife, Esther Cole, and his daughter, Mrs. Mary Schofield, can take great comfort in the knowledge that he won a niche in the hearts of all who knew him, and that his service to his fellow man will forever be a monument to his memory.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HULL. I yield to my colleague from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman's yielding. I want to join him, from this side of the aisle, in paying last respects to our former colleague, Bill Cole. Although it was not my privilege to serve in this House when he was here, I knew him through the State organization. My wife joins me in extending heartfelt sympathy and prayers of understanding, in this time of bereavement to his lovely lady, Esther.

I especially compliment the gentleman on his generous statement and on assuming this sad duty to appear in the well of the House today and express sentiments in his own inimitable way with which we all associate ourselves.

We pray the Almighty will cast mercy on the soul of our departed friend.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HULL. I am glad to yield to the gentleman.

Mr. GROSS. Mr. Speaker, I greatly regret to hear from the gentleman from Missouri [Mr. HULL] of the death of our former colleague and my friend of other years, Bill Cole.

It was with credit and distinction that he served his district, the State of Missouri, and the Nation, and he has been missed in the Halls of Congress.

I extend my condolences to the members of his family.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. HULL. I yield to the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, I had the privilege of serving in Congress with my good friend, Bill Cole. It was a pleasure and a privilege to know him and to work with him.

Mr. Speaker, I am deeply distressed to learn of the passing of my good friend and former colleague, Bill Cole. During his service in the House I had occasion to work with him on many legislative problems. He demonstrated that he was not only a man of ability but a man of character and convictions. And he always had the courage of his convictions. Perhaps this accounts in some measure for the fact that his service in the Congress was not continuous. He was not the type of man who would sacrifice his principles—the things in which he firmly believed—for political expediency.

Bill Cole indeed made a substantial contribution to the work of the Congress. While he is no longer with us, he has left a legacy of a job well done.

I extend my sincerest sympathy to his family.

Mr. HULL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 323]

Abbitt	Dowdy	Latta
Adair	Duncan, Oreg.	Lindsay
Adams	Edwards, Calif.	Lipscomb
Addabbo	Farnsley	Long, Md.
Anderson, Ill.	Farnum	McEwen
Andrews, George W.	Fino	Madden
	Ford, William D.	Mailliard
Andrews, Glenn	Frelinghuysen	Miller
Aspinall	Goodell	Moeller
Bandstra	Grabowski	Monagan
Baring	Gray	Morton
Betts	Gubser	Moss
Boggs	Hagan, Ga.	Murray
Bolling	Halleck	O'Brien
Bolton	Hansen, Iowa	O'Hara, Ill.
Bonner	Hays	Olson, Minn.
Brock	Hébert	Ottinger
Burton, Utah	Henderson	Pirnie
Callaway	Herlong	Powell
Casey	Hicks	Pucinski
Clausen, Don H.	Holifield	Reinecke
	Holland	Resnick
Clawson, Del	Hosmer	Rhodes, Ariz.
Colmer	Johnson, Calif.	Rivers, S.C.
Corbett	Johnson, Okla.	Roberts
Corman	Keogh	Roosevelt
Dawson	Kirwan	Scott
Diggs	Kluczynski	Senner
Dorn	Landrum	Shriver
Smith, Calif.	Thompson, Tex.	Sikes
Springer	Toll	Williams
Stalbaum	Tuck	Willis
Talcott	Udall	Wilson, Bob
Teague, Calif.	Utt	Wyatt
Thomas	Whitten	Yates
		Younger

The SPEAKER. On this rollcall 328 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ANNOUNCEMENT

Mr. SAYLOR. Mr. Speaker, on rollcall 322 I was not present, and arrived just after the vote was announced. Had I been present I would have voted "yea."

VESSEL EXCHANGE AMENDMENTS

Mr. GARMATZ. Mr. Speaker, I call up the conference report on the bill (H.R. 728) to amend section 510 of the Merchant Marine Act of 1936, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1085)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 728) to amend Section 510 of the Merchant Marine Act, 1936, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That (a) the first sentence of subsection (1) of section 510 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160(1)), is amended as follows:

"(1) By striking out 'within five years from the date of enactment of this Act warbuilt vessels (which are defined for purposes of this subsection as oceangoing' and inserting in lieu thereof the following: 'before July 5, 1970,'.

"(2) By striking out 'during the period beginning September 3, 1939, and ending September 2, 1945)' and inserting in lieu thereof the following: 'before September 3, 1945,'.

"(3) By inserting immediately before the words 'owned by the United States' the following: '(which are defined for purposes of this subsection as oceangoing vessels of one thousand five hundred gross tons or over which were constructed or contracted for by the United States shipyards during the period beginning September 3, 1939, and ending September 2, 1945)'.

"(b) Paragraph (1) of subsection (1) of section 510 of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"'(1) The traded-in vessel shall have been owned by a citizen or citizens of the United States, documented under the laws of the United States, and shall not have been operated with operating-differential subsidy under title VI of this Act by the applicant or any affiliate of the applicant for at least three years immediately prior to the date of the exchange.'

"(c) Paragraph (2) of subsection (1) of section 510 of the Merchant Marine Act, 1936, as amended, is amended by inserting after the period at the end thereof the following: 'The value of a vessel when traded out shall be calculated in the same manner as its value was determined when it was traded in, except that vessels traded in prior to October 1, 1960, shall be valued on the basis yielding the highest fair return to the Government commensurate with the purposes of this subsection. In each exchange of vessels under this subsection, the value of the vessel traded-in, unless based on scrap value, and the value of the vessel traded-out shall be calculated in the same manner.'

"(d) Paragraph (9) of subsection (1) of section 510 of the Merchant Marine Act, 1936, as amended, is amended to read as follows:

"'(9) Except where traded out for use exclusively in trade and commerce on the Great Lakes, including the Saint Lawrence River and Gulf, tanker vessels may be traded out under the provisions of this subsection only for major conversions into dry cargo carriers or liquid bulk carriers, including natural gas carriers but excluding bulk petroleum carriers.'

"SEC. 2. Section 510 of the Merchant Marine Act, 1936, is further amended by adding at the end thereof the following new subsection:

"'(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the national defense reserve fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and shall not be traded out or sold from such reserve fleet, except as provided for in subsections (g) and (i) of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in other sections of this title or in titles VII or XI of this Act.'"

And the Senate agree to the same.

EDWARD A. GARMATZ,
THOMAS L. ASHLEY,
THOMAS N. DOWNING,
WILLIAM S. MAILLIARD,
THOMAS M. PELLY,
Managers on the Part of the House.

WARREN G. MAGNUSON,
E. L. BARTLETT,
DANIEL B. BREWSTER,
WINSTON L. PROUTY,
PETER H. DOMINICK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 728) to amend the Merchant Marine Act, 1936, as amended, to broaden the vessel exchange provisions of section 510 of the act, to extend such provisions for an additional 5 years, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate with an amendment which is a substitute for both the text of the House bill and the text of the Senate amendment and that the Senate agree to the same.

Except for clerical and minor drafting changes, the differences between the Senate amendment and the substitute agreed to in conference are noted below.

Section 4 of the Senate amendment amended paragraph (3) of subsection 510(i) of the Merchant Marine Act of 1936, as amended, by providing that: "The value of a vessel when traded out shall be calculated in the same manner as its value was determined when it was traded in."

No comparable provision appeared in the House bill.

The House receded from its disagreement to this provision of the Senate amendment, countering with a substitute. It was this substitute which was accepted, serving to amend paragraph (2) of subsection 510(i) of the Merchant Marine Act of 1936, as amended, which will read as follows:

"(2) The value of the vessel when traded out shall be calculated in the same manner as its value was determined when it was traded in, except vessels traded in prior to October 1, 1960, shall be calculated on the basis yielding the highest fair return to the Government commensurate with the purposes of this subsection. In each exchange of vessels under this subsection, the value of the vessel traded in, unless based on scrap value, and the value of the vessel traded out shall be calculated in the same manner."

It is not intended that this amendment will affect the present law concerning the valuation of vessels of the military type, as provided for in paragraph (3) of subsection 510(i) of the Merchant Marine Act of 1936, as amended.

Section 1(c) of the House bill amended paragraph (9) of subsection 510(i) of the Merchant Marine Act of 1936, as amended, so as to remove the absolute prohibition against trading out tanker vessels, subject to certain conditions. Section 3 of the Senate bill provided for a similar amendment removing the absolute prohibition against trading out tanker vessels. The position of the managers on the part of the House was that the Senate version was not sufficiently definitive since it provided that:

"(9) Tanker vessels may be traded out under the provisions of this subsection only for nontanker use."

But failed to adequately define "nontanker use."

Section 1(c) of the House bill, on the other hand, provided that:

"(9) Tanker vessels may be traded out under the provisions of this subsection only for conversion into dry bulk carriers to be operated only in the domestic trades, except where traded out for use exclusively in trade and commerce on the Great Lakes, including the Saint Lawrence River and Gulf. No tanker vessel so traded out, or any part thereof, shall be used in the construction or reconstruction of a vessel."

The House receded from its provision restricting the operation of such tanker vessels to the dometsic trades. The Senate agreed to the inclusion of the exception for the Great Lakes. There was mutual agreement to delete the restriction in the last sentence of the House version barring the use of such tanker vessels for the construction or reconstruction of a vessel.

The following language was agreed upon as an amendment to paragraph (9) of subsection 510(i) of the Merchant Marine Act of 1936, as amended:

"(9) Except where traded out for use exclusively in trade and commerce on the Great Lakes, including the Saint Lawrence River and Gulf, tanker vessels may be traded out under the provisions of this subsection only for major conversion into dry cargo carriers or liquid bulk carriers, including natural gas carriers but excluding bulk petroleum carriers."

The language "for major conversion into dry cargo carriers or liquid bulk carriers, including natural gas carriers but excluding bulk petroleum carriers," was agreed upon in recognition of technological changes within the maritime industry. Under this provision tanker vessels may be traded out for use as dry cargo carriers and liquid bulk carriers. However, tankers so traded out cannot be used for employment as carriers of crude oil, diesel oil, gasoline, kerosene, and naphtha. It is intended that tanker vessels traded out can be converted so as to carry all dry cargoes, inclusive of conversion into container ships. Tanker vessels would also be permitted to be converted to carry liquid bulk cargoes such as liquefied gases (including anhydrous ammonia, methane, butane, butadiene, and propane, etc.), liquid sulphur and phosphoric acid and other organic and inorganic chemical products.

Section 2 of the House bill provided a new subsection (j) to section 510 of the Merchant Marine Act of 1936, as amended, which reads as follows:

"(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the National Defense Reserve Fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744) and shall not be traded out or sold from such reserve fleet, except as provided for in subsections (g) and (i) of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in section 1105(d) of this Act (46 U.S.C. 1275(d)) and section 508(1)."

No comparable provision appeared in the Senate version of the bill.

The substitute agreed to in conference follows the House bill except that the last sentence was changed to read as follows:

"This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided for under any other section of this title, or under titles VII and XI of this Act."

It was the position of the managers for the House that this amendment was necessary to close a loophole in the law under which the Maritime Administrator proposed to sell certain ships in contravention of the intent of the Congress when it established the reserve fleet under the Merchant Ship Sales Act, although in a technical and legal sense such authority may have existed.

The managers on the part of the House believe that the conference substitute achieves the proper objectives of both the House bill and the Senate bill effectively and equitably.

EDWARD A. GARMATZ,
THOMAS L. ASHLEY,
THOMAS N. DOWNING,
WILLIAM S. MAILLIARD,
THOMAS M. PELLY,
Managers on the Part of the House.

The SPEAKER. The gentleman from Maryland [Mr. GARMATZ] is recognized for 1 hour.

Mr. GARMATZ. Mr. Speaker, I yield to the gentleman from Virginia [Mr. DOWNING] such time as he may consume.

Mr. DOWNING. Mr. Speaker, the Government has a very excellent trade-out, trade-in program for vessels which have been placed in the national defense fleet. This trade-out, trade-in program was provided by section 510 of the Merchant Marine Act of 1936 as amended. The provisions in the program expire this year and the purpose of the bill, H.R. 728, is to broaden certain provisions to cover some problems that we are meeting with today and also to extend the life of section 510 and the provisions thereof for a period of an additional 5 years.

The House and Senate have no substantial disagreement and the conferees agreed to substitute a text for both the Senate bill and the House bill.

There are several items that might be mentioned, one of which concerns the calculation of the trade-out value of the vessel. The conferees thought that vessels which had been traded into the defense fleet prior to 1960 should be calculated differently than those which were acquired after 1960. This is for the reason that these ships are old and are not likely to be used. In the past we would calculate their value either on the domestic market or world market or scrap value or a combination of such values.

The conferees agreed to submit language which would state that the Maritime Administration would select that calculation which would yield the fairest high return to the Government. The conferees of the Senate and House agreed to this provision.

Another provision which I would mention is the conferees thought that trading-out for nontanker use should be explained more fully in light of the present-day conditions and the nontanker use is defined.

Mr. Speaker, I think basically that covers the agreement of the conferees on this bill. I fully support the conference report and yield back the balance of my time.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may require to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I just want to state for the record that the conference report was unanimously agreed to. There is full agreement on the part of the minority. We think it is a good report and we urge that the House accept it as it comes to the House for approval today.

Mr. GARMATZ. Mr. Speaker, we have no further requests for time and move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, it has come to my attention that because of the emergency in Vietnam the Defense Department has first call upon the most desirable vessels in the Reserve fleet. For that reason, and also because in any event the Department of Defense must approve the release of any vessel for exchange pursuant to the vessel exchange statute, the Maritime Administration will probably not process pending vessel exchange applications after the passage of this legislation which extends the program for 5 years, and even if it does, I believe that the Department of Defense will be reluctant to release the desirable vessels. I am further informed that the cost of reactivating Reserve fleet vessels for operation under general agency operation for MSTS is running as high as $500,000 and perhaps will exceed that amount in certain cases.

It would seem to me that in the interests of economy and also the expansion of our private merchant marine, the Administration and MSTS would be well advised to permit trade-out of these vessels under the Vessel Exchange Act. This would eliminate any cost of reactivation to the Government as the applicant receives a reduction from the valuation of the traded-out vessel equivalent to the cost of placing the vessel in class. But the applicant must expend his own funds to restore the vessel. This would also serve to upgrade our privately owned fleet on a permanent basis. The private owners, after reactivation, would either charter the vessels to MSTS or operate the vessel in other trades which would release additional desirable vessels for use by the military. I hope that the Maritime Administration and MSTS will consider this proposal and continue to implement the vessel exchange program.

HEART DISEASE, CANCER, AND STROKE AMENDMENTS OF 1965

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3140) to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3140) with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1½ hours and the gentleman from Minnesota [Mr. NELSEN] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Arkansas, but pending that, the Chair asks the gentleman to suspend for 1 minute. The Chair has two announcements to make and a couple of ground rules to lay down.

First, the Members are aware that last evening the majority leader advised us that since today is Friday, at the end of the day's business he would ask consent to go over until Monday noon. It has been a long, hard, hot week. All Members wish to be with their families. I do not blame you. That is an important announcement to the Members.

The second announcement is much more important to the Chair. The Chair advises the Members that this is the wedding anniversary of the gentleman from Pennsylvania and Mrs. Flood. [Applause, Members rising.]

You are very kind. I assume that out of deference to Mrs. Flood you are applauding. However, all the necessary festivities have been arranged. Need I say more?

The gentleman about to address the Committee has been a member of this Committee and the House for 25 years. He has announced that he is retiring from the House. This is our loss. The gentleman has been nominated by the President and confirmed by the Senate unanimously as a Federal judge. He has been chairman of the great Committee on Interstate and Foreign Commerce for many, many years. He has presented many bills of vital import to the Nation. I am not sure of the date of his retirement, but the two bills he is about to present might possibly be his last major presentation. The greatest compliment and the tribute you can pay is to give him your rapt attention.

The Chair recognizes the gentleman from Arkansas.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may consume.

First. May I say to you, Mr. Chairman, and to my colleagues, I am grateful for the expression of esteem, which has just been manifested by the distinguished Chairman of this Committee. I do not know what the date is going to be myself.

Second. On behalf of all of our colleagues let me congratulate the distinguished Chairman of this Committee and his wonderful and lovely wife on this occasion of their anniversary. We offer our felicitations to them on this important occasion and extend to them our wishes for many, many, many more happy and joyous years together.

Mr. Chairman, this is one of the last of three major legislative proposals that I shall have the honor of presenting to my colleagues in the House.

Mr. Chairman, it has been my honor and privilege to have served with our colleagues in this House over the last quarter of a century. This is no time to discuss some of the feelings I may have, but during that time it has been my honor and privilege to bring to you, along with the members of the great Committee on Interstate and Foreign Commerce, over the years many highly important legislative programs.

In my considered and humble judgment, this bill which we bring to you today is undoubtedly one of the most important of the legislative proposals it has been our privilege to submit to this House. As a matter of fact, I do not believe there is anyone in this House or anyone in the country who can object to or does object to, the objectives of this legislative proposal, H.R. 3140.

Our committee has had jurisdiction over matters of public health since 1795. The very first legislative proposal which was referred to the committee which is today the Committee on Interstate and Foreign Commerce was a public health bill to protect the health and welfare of the merchant marine of this country. Down through the years there have been many important legislative programs to improve the health of our people and to eradicate certain of the dreaded and terrible diseases which have wrought burdens and tragedies upon the people of this country.

Let me recall to you that with regard to some of these diseases that we have faced in the past, such as yellow fever and malaria, today we think there is not much to them, but many years ago there was. Many of us here can recall the tragedy that poliomyelitis brought to the people of our Nation. What we have been able to do about that disease in our generation in the last decade is a revelation. What a wonderful feeling it is for you and for me, for all of us, who have just had a little part to play in improving the health and welfare of all of the people of this country. We can rightly be proud of contributing something to the relief of the suffering of humanity.

So today we have facing the people of this Nation the very dread disease of cancer. Which one of us has not seen our loved ones, our neighbors, and our friends as they have lingered and finally passed on to their reward because of this dread scourge? Which one of us has not seen those nearest to us suffering from heart disease, which brings to the minds of our people the suffering that humanity endures? Just this morning I learned that our former colleague in this House, the Honorable Clyde Ellis, a former Member from my State, who served here for many years, was stricken with a heart condition and is now in a hospital here in Washington. Which one of us has not seen those near and dear and close to us stricken down by stroke? Those are the three dread diseases that we are attacking here today. I do not believe that there will be any opposition to this effort as we present it here to you today.

Mr. Chairman, this legislation as originally introduced was highly controversial. It was highly controversial because we had persons who felt this legislation was in conflict with the fundamental philosophy of the Government. They felt the legislation was bringing into existence what in this country we have been somewhat fearful about over the years; namely, what has been termed "socialized medicine."

Now this legislation does not provide for a program that will now, or at any time in the future, lead to socialized medicine.

My hat is off to the medical profession. I think we owe them more than we can possibly pay them. We have a member of that profession on our committee. He has been invaluable, in my judgment, and I have appreciated the contribution that our colleague, the gentleman from Kentucky, Dr. CARTER, has made to this program as we bring it here to you today.

In this proposed legislation, Mr. Chairman, we attack the condition that represents the cause of 71 percent, or a little more, of the deaths of the people of this Nation. I believe we do it in a way that is consistent with our philosophy.

Our committee, in the final analysis, by a voice vote unanimously reported this amended bill to you for your consideration.

Under the bill, a program will be established under which applications will be made to the Surgeon General for planning grants to aid people in working out programs of cooperation between medical schools, research institutions, hospitals, and practicing physicians to help in meeting problems in the areas of these

three diseases. The program set out under the legislation would support cooperative arrangements between medical schools and their affiliated teaching hospitals with research centers, local hospitals, and practicing physicians, under which patients could be provided the latest advances in diagnosis and treatment, and programs of continuing education would be made available to practicing physicians in forms more convenient than existing arrangements provide. Our report points out a number of programs already being conducted in the United States which are similar to the programs proposed under this bill.

The purpose of this legislation is to help meet the problem faced by our Nation arising out of heart diseases, stroke, and cancer. In March 1964, the President appointed a Commission under the chairmanship of Dr. Michael De Bakey, known as the Commission on Heart Disease, Cancer, and Stroke. This Commission studied the problems of these three diseases for 9 months and submitted a report in December 1964, which included a number of recommendations. Legislation was introduced to carry out some of the recommendations of the Commission, and after hearings on this legislation, our committee reported the present bill to the House.

A lot of opposition was expressed to the bill during the course of the hearings, principally by representatives of organized medicine. We amended the bill very substantially, in accordance with the recommendations by the American Medical Association, and thereby met many of the objections which were expressed to the bill.

Most of the amendments that the committee adopted are intended to strengthen local control of programs established under the bill. Under the bill as we reported it, local groups must get together and decide for themselves if they want to accelerate heart, cancer, and stroke control programs by increased cooperation between local medical schools and their teaching hospitals, clinical research facilities, community hospitals, and practicing physicians. An advisory committee will have to be appointed which will include practicing physicians, medical school officials, hospital administrators, representatives from appropriate medical societies, voluntary health agencies, public health officials, and members of the public. Many State and local public health departments now have existing heart, cancer, and stroke control programs with personnel and facilities which would be valuable assets to this program both in the prevention of disease and in the network of diagnosis, referral, and aftercare. If the National Advisory Council on Regional Medical Programs considers the proposed program sound enough to merit assistance, and recommends approval to the Surgeon General, the Surgeon General can make a planning grant to the local group to meet the expense of developing plans for establishing a local program of cooperation. The local group will then make studies and determine whether the establishment of such a program is feasible, and if they determine that it is, they will then work out a program tailored to the needs of the locality. Obviously, a program to meet the needs of a sparsely populated State such as Wyoming would differ from the plan worked out in a State such as Illinois, which in turn would differ from the type of program needed in a State such as Connecticut.

Once the local plans have been worked out, it will be necessary for these plans to be approved by the local advisory group. At this point an application can be made to the Surgeon General for funds to establish and operate the program at the local level. If the National Advisory Council recommends approval of the program, the Surgeon General can make a grant to meet the expenses of establishing and operating the program at the local level.

Primarily the program will consist of cooperative arrangements among existing institutions. For example, the program might pay part of the expenses of establishing at community hospitals in the local area directors of continuing education. The program could pay expenses of programs of continuing education involving visits by personnel from the participating medical school and its affiliated teaching hospitals to community hospitals. There are many ways in which programs of continuing education are carried on today, and under the bill these programs can be expanded and strengthened.

Under the program, new and sophisticated equipment can be procured for community hospitals, and doctors and supporting paramedical personnel can be trained in its use.

Research programs can be conducted at affiliated research institutions and the training of medical students, graduate students, and researchers can be improved through programs of cooperation between the medical schools, the research institutions, local hospitals, and practicing physicians.

There is nothing really new in the program proposed by this bill which we have reported to you. A program very similar to that set out in the bill has been carried on in Maine since 1931. It is called the Bingham Associates program, and Members will find it described on page 5 of our committee's report. A similar program is conducted in New York; a similar program is centered around Columbus, Ohio; a similar program is conducted in Wisconsin; there is a very successful and imaginative program of continuing education conducted in Minnesota; and a program similar to the one set out in the reported bill has been carried out in the State of Iowa since 1915.

Mr. Chairman, the American people are fortunate in having the best medical care in the world available to them in this country. It is an unfortunate fact, however, that the most modern advances and the best techniques in medical care are not always available to all of our citizens. The program established under this bill will help bring the latest advances in the care, treatment, as well as the prevention, of the three greatest killers in our country today—heart disease, cancer, and stroke. We think the program to be established under the reported bill will go a long way towards making more generally available to our citizens the very best in medical care.

Mr. LAIRD. Mr. Chairman, will the gentleman from Arkansas yield to me?

Mr. HARRIS. I should be glad to yield to the gentleman, knowing of his interest in the field of public health and the tremendous contribution that he has made in his position on the Subcommittee on Appropriations having to do with matters of public health.

Mr. LAIRD. I thank the gentleman. We are going to miss the gentleman from Arkansas as chairman of this committee. He has a great understanding of and has made an outstanding contribution to the health legislation that this Congress has enacted over the last 25 years. We shall miss him as a Member of this body, but our loss is the gain of the judicial branch.

I should like to ask the gentleman from Arkansas this question. After going over this bill, and the various things which are provided for the various aspects of the heart, cancer and stroke program, it seems to me the authority which is contained in this bill is merely a restatement in different words of the authority presently existing in Public Health Service statutes, particularly as regards the National Institutes of Health.

The authority which we presently have in the National Institutes of Health would allow all of these programs. I believe there is some need to put them together in one place so that they can be reviewed by the legislative committee on a regular basis, but does not the gentleman agree that there is authority to carry on at least most of the program set out in this bill?

Mr. HARRIS. No; the gentleman cannot agree to that because that is not the purpose or the objective of this legislation. Even though there are provisions in this proposed legislation for certain research in the field of medicine it in no way conflicts with the present authorizations for research which we have under the established policy of NIH.

If the gentleman would refer to the report, on page 12 he will find a discussion of the relationship of this program to existing Federal health programs. This is to implement and supplement existing programs. It would in no way conflict with or try to supersede them.

Mr. LAIRD. I am afraid the gentleman from Arkansas misunderstood my comment. I do not believe that it is in conflict with existing programs. But the authority in present law does give the right to carry on these programs in the Public Health Service. We have established several regional centers for various activities of the National Institutes of Health and also for medically oriented activities of vocational rehabilitation.

Take the De Bakey Center at Houston, Tex. This center is regional in scope, and we are supporting a good many beds at that institution. Then take the McArdle Center in Wisconsin.

Mr. HARRIS. I know what the gentleman has reference to. There are several, which the report refers to. There are a few programs that are already set

up. These serve as an example of what we intend to do.

Mr. LAIRD. But the controversy over this bill, I think, has been over the fact this has brought a new program, a new authorization into existence, something that the National Institutes of Health do not already have.

Mr. HARRIS. The National Institutes of Health, I may say to the gentleman, has a setup for the purpose of research in the field of medicine and public health. One of the purposes of this legislation here is to bring about the fullest utilization of the results of research in these fields—that is to fill the gap that exists between research and application. What we do here is to try to bring about a program that will accomplish in the various sections of our country the same thing the gentleman speaks of in the New England area, in the Texas area, and the in the Wisconsin area.

Mr. LAIRD. These have been tried. The gentleman from Arkansas will certainly admit very similar programs have been tried in certain areas. They have been successful, the clinical application of research, the clinical data we have made available. We have given the opportunity through the clinical application of research in many areas of the country. It has been tried, and it has been successful.

Mr. HARRIS. We have given assistance under these programs the gentleman speaks of. They are programs, fortunately, that have had heavy endowments and contributions made to them. Therefore we have tried to bring about this kind of cooperation or cooperative arrangement among the medical schools, the clinical operations in the area, and the hospitals in the area. I would cite the gentleman to the example at Tufts Medical School in the New England area. That program goes back as far as 1931. They have had many years of this kind of an arrangement, under which the various public health group hospitals and medical centers cooperate together.

I repeat, Mr. Chairman, I do not believe that there is any conflict or overlapping whatsoever. This supplements and complements existing situations we have had in this country, to bring to as many people as possible throughout the country this cooperative effort in the field of medicine and medical care.

We have tried to overcome the objections that have been raised to this proposal. As I said a moment ago, when the bill started out it was highly controversial. But as a result of the hearings we have held on this legislation and the innumerable hours and days that we spent in executive session in our efforts to clarify certain of the misunderstandings and objections, we have in my judgment brought to you a bill that is fairly well accepted.

The American Medical Association is the organization that submitted the greatest objection. They testified at length. Their witnesses were outstanding people. The president of that great organization, Dr. Appel, testified at length and we discussed almost section by section the provisions and then obtained information as to what their fears and objections were.

In addition to that, while the president and the president-elect of the AMA were in Washington and spent an entire day with the HEW, there was a meeting that was held at the White House at which the Secretary of HEW and other members of the staff, Dr. Appel, president of the American Medical Association, the president-elect and several of their associates and their technical people participated at a conference with the President on this matter. They had a very frank discussion as to what their fears were.

The President met with this distinguished group. They wanted the bill postponed until next year.

As a result of the conference to which I have referred and other conferences, innumerable amendments were offered. I shall not take the time of the Members to go into them further, but I shall state some of the major modifications that we made.

First. A statement in the title of the new part 9 indicated that the legislation was designed to get at heart, cancer, stroke, and other major diseases. There was some feeling that the title indicated that we were going far afield, and we would not know where it stopped. So we amended the title to provide for heart, cancer, stroke, and related diseases. We limited it to those three major diseases and any related problems thereto.

Second. There were great fears that there would be a major Government medical program set up with clinics, categorical centers, administrative centers, hospitals, and so forth operated by the Government. So we decided that instead of calling these by the term "complexes," which had developed an image of that kind, we would refer to them in the bill as "programs." The bill provides for programs utilizing existing medical centers, hospitals and institutions. We provide for cooperative arrangements whereby medical schools in cooperation with clinical centers in the area and with the hospitals in the area, and other health activities, shall set up an advisory local committee. That advisory local committee will decide. It will be autonomous, and will decide this program within an area. That program will then be submitted to the national council.

We amended the recommendation for the national council, so that in addition to other people expert in the field, there shall be two practicing physicians on the council, and they will submit their recommendations to the national council. The national council will then advise with the Secretary in determining these programs. We think it is a built-in protection to accomplish the greatest good under the concept that we have developed in this country over the years, and I think that is a good arrangement.

There is a third very important item providing a built-in protection under the bill. We did not provide for new construction. We amended the bill and left out the request for new construction. We have construction programs set up under other provisions that we have brought to the House recently and over the last few years, including the Hospital Construction Act that began back in 1945 and 1946, and others down through the years since then. We have already provided those programs and they have worked out very well.

As I said to the Rules Committee the other day—and I stand on the statement today—there has been no bill in my experience which has become a part of our public health program, reported by the Committee on Interstate and Foreign Commerce, that has not worked out satisfactorily to all segments, including the medical profession themselves. I stand on that record and I stand on my experience in this House that the proposed program will likewise turn out to be such a satisfactory and very important program.

Instead of providing for new construction, we provided for the situation in which there might be a medical school, a hospital, a diagnostic treatment center, a clinical center, and so forth, with an advisory committee approving plans. This is a local advisory committee. It might determine there was needed a modification of an existing structure, or a new wing for a medical school, as an example, in which new equipment would be necessary, for dealing with these diseases.

That kind of program is permitted and authorized. There is to be modification and extension as necessary to carry the program out, including equipment, and including personnel who would be trained and expert in these fields.

Mr. WAGGONNER. Mr. Chairman will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Louisiana, before I go to the next major point.

Mr. WAGGONNER. This was the point I wished to discuss. The gentleman has, to a great extent, answered my question.

Section 902 of the bill is the definitions section. Subparagraph (f) defines the term "construction" and reads:

> The term "construction" includes alteration, major repair (to the extent permitted by regulations), remodeling and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

The term "includes alteration," in view of the explanation just given, means it really is limited to that sort of thing?

Mr. HARRIS. The gentleman is correct.

I refer the gentleman to the report. We place a lot of emphasis on planning by the local advisory committee, which will be composed of people who know what the conditions are locally and what is available and how we can better meet these problems. I believe that is a very good approach.

Mr. WAGGONNER. I thank the gentleman for yielding. That was not quite clear in my mind, and I wanted to ask the question.

If the gentleman will yield further, I express my personal regret, as a neigh-

boring colleague from the adjoining State of Louisiana, that my good friend from Arkansas is leaving the Congress. I can say only that the people of Arkansas are losing a voice in Washington which I do not believe they will be able to replace.

Mr. HARRIS. I thank the gentleman very much for his generous comment. I am grateful for it.

Mr. Chairman, there were a good many other amendments. A moment ago the gentleman from Wisconsin [Mr. LAIRD] mentioned something about objections of certain people to this. I realize that what he was attempting to do is to bring out in the debate all facets of the program, to show how there might be conflicts or overlapping.

In order to make a legislative history, I believe that is a good thing. I thank the gentleman for bringing it to our attention.

One of the objections to this proposal related to how the program might interfere with the doctor-patient relationship.

That is very important. That is terribly important from the standpoint of the people who are knowledgeable in the field and have the know-how under our present programs and the approaches to these programs which we have brought to the people of this Nation. We have the finest health of any people in all the world in all history.

We do not intend—and I want to make this abundantly clear—to cause any disruption or interference in any way with the doctor-patient relationship. We not only make this sure by amendments to the original bill, but we later provide that no patient will be accepted by any of these programs unless he has been referred by a practicing physician. So we approach that problem head-on in order to make it abundantly clear that there will not be any disruption of this traditional approach to the treatment of our health problems in this country.

Mr. GROSS. Mr. Chairman, will the gentleman from Arkansas yield?

Mr. HARRIS. I will be glad to yield to the distinguished gentleman from Iowa.

Mr. GROSS. I note in the report that the Comptroller General suggested that his office be written into this bill for the purpose of checking on the expenditure of funds. Is the Comptroller General's Office specifically written into the bill as it is now before the House?

Mr. HARRIS. No. I know the subject was discussed and the gentleman from California [Mr. Moss] who is usually interested in these matters, did go into it with the committee. We decided that there was sufficient authority under the Public Health Service Act for this information to be made available to them.

Mr. GROSS. I would hope, if it is not to be found in the legislation, that the gentleman from Arkansas would have no objection to an amendment which would provide that the Comptroller General would have such authority.

Mr. HARRIS. If I recall, in the discussions we had in the committee in order to meet this problem we found that there was existing authority under the present Public Health Service law.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Is this not taken care of in the Public Health Service Act itself?

Mr. HARRIS. I think that is what we decided. We usually do that in new legislative programs that come out of our committee. I do recall that this matter was brought up for discusssion within the committee. If my memory serves me correctly, we decided that under a previous program which provided amendments to the Public Health Service Act, it was included and, therefore, it is so intended here, I will say to the gentleman.

Now, there are just two other matters that I want to discuss. One is a matter which, not to be sentimental at all, just recognizes the facts of life as we talked about it earlier. Heart disease, cancer, and stroke, as I have previously stated, account for 71 percent of the deaths in the United States. In the case of people under the age of 65 they account for 51 percent of the deaths. For example, in 1963, over 1.1 million Americans died of heart disease, cancer, or stroke. The economic cost to this country of these three diseases amounted to over $30 billion in 1962. This is both in direct cost of care and treatment as well as the indirect cost associated with the loss of earnings. Now, this is a tremendously important item to be kept in mind—$30 billion in 1 year.

An estimated 25 to 30 million individuals suffered from heart disease in the United States in 1963. In the case of over 700,000 of these individuals their illnesses terminated in death. The direct cost in medical care and treatment for heart disease in 1962 was $2.6 billion, and the indirect cost due to loss of income because of disability and premature death amounted to over $19 billion. These facts cannot be disputed.

Cancer is the second greatest killer by a wide margin. Among children between 1 and 14 years of age it is one of the most common causes of death. Deaths due to cancer have increased in recent years. In 1962, 278,000 Americans died of cancer. In 1963 the figure is 285,000, and in 1964 it exceeded 300,000.

Cancer caused 4 percent of the deaths in 1900, but in 1963 16 percent of the deaths were caused by cancer.

Mr. Chairman, we must have vision. We must have courage. We must face the facts now and for 10 and 20 years hence. The cost of cancer in this country now is $8 billion each year, of which $1.2 billion is the direct cost for treatment and care, and $6.8 billion represents the indirect cost due to disability and premature death.

The third leading cause of death in the United States is stroke, which is estimated to affect 2 million Americans. In 1963 over 200,000 persons died of stroke. The direct cost of care and treatment of victims of stroke amounted to over $400 million, and the indirect cost due to disability and premature deaths over $700 million.

These are the facts with which we are faced today. Our population is expanding. We have become an urbanized nation and we are going to be faced with more and more of these problems. We have got to do something today.

We have got to organize against these diseases that are attacking and will continue to attack our people.

Now, Mr. Chairman, giving you that information, we provide a beginning for the cooperative arrangements under the bill.

Here is an example: There is a fine institution set up in New Orleans, La. There you have the Tulane Medical School, the LSU Medical School, you have Charity Hospital, and you have other great hospitals within the area. Nearby you have Baton Rouge. Then not too far away you have Shreveport with its wonderful institutions.

All of these can work together in an organized effort that will make available, if requested, information on these particular diseases to every community.

Mr. Chairman, as an example, in the State of Louisiana now you can propose a united effort of this kind. And what do we authorize? What is the estimated cost to undertake this terrific program? Three hundred and forty-five million dollars. That is all, for 3 years.

Mr. Chairman, you see, if we could have a measure of success you could see, even if you put it on the hard core of economics, how it would pay for itself over and over again.

But, Mr. Chairman, I would like to say to you and the Members, our committee is not only concerned, but we are determined, that these programs are going to be carried out in accordance with the traditions we have established in this country over the years in order that we might continue to bring to our people the finest medical attention of any people throughout the world or any people in all history.

Mr. Chairman, in my judgment this is one of the finest programs in the history of this country. We could give examples which exist all around us. If we could do something for people who have experienced dreaded attacks of stroke, what a wonderful blessing it would be.

Mr. Chairman, we can say to our children and our children's children that this will contribute to the future health of the people of this country.

Mr. CRAMER. Mr. Chairman, will the gentleman yield for a question.

Mr. HARRIS. I should be glad to yield to the gentleman from Florida.

Mr. CRAMER. With reference to these regional medical programs, is there any benefit or are there substantial funds involved for requiring that these types of programs to be carried on, those programs that the area is desiring, be spread throughout the United States and not all concentrated in one area?

Is there anything to prevent these programs from being concentrated in one area rather than spread throughout the country?

Mr. HARRIS. If the gentleman will yield, first, we emphasize planning. We examined every area in the country and asked them to organize an established

planning program, with local advisory committees, to start a program in connection with the people in the area, whether it be one State or more States.

Second. We expect that planning program to be submitted to the National Advisory Council. This National Advisory Council will be composed of people who will be responsible for seeing that this program is organized in a way that information will be disseminated as early as possible throughout the whole of the United States.

Third. We provide that that be done more or less on a regional basis. For example, if you want to establish a program in Florida it would not be anticipated that another would be established in Florida because we would expect that one to serve the general area.

Fourth. It is estimated one of the programs will cost approximately $4.5 million a year. We would start out the first year, from what we know, with approximately eight that will be established, and for the second and third years some 17 or more.

These would serve as pilot projects distributed as equitably as possible throughout the United States whereby it would encourage others, and they would be able to establish similar programs in an effort to ultimately make this available throughout the whole country.

Mr. CRAMER. I thank the gentleman. I think that fully clarifies that point.

I would like to ask one other question. I have introduced for a number of years a bill that would establish a geriatrics and gerontology research, relating to the diseases that are consistent with senior citizens and older age. Of course, heart disease, cancer, stroke, are of that nature.

Is it the gentleman's opinion as this bill is drafted and some of these institutions would determine that geriatrics and gerontology were such that were included in these diseases and studied on a regional basis, that they could qualify under the terms of this legislation?

Mr. HARRIS. Only as it would be related in some way to heart, cancer, and stroke.

Mr. CRAMER. To heart, cancer, and stroke, and related diseases; is that correct?

Mr. HARRIS. That is correct.

Mr. CRAMER. Of course, those are the diseases that are connected with growing old; therefore, if they were related to those diseases they could qualify?

Mr. HARRIS. That is true.

Mr. CRAMER. I thank the gentleman.

Mr. NELSEN. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, first I would on the part of the minority want to extend congratulations to the gentleman from Pennsylvania now in the chair. I noticed when he came in he was so immaculately dressed, as usual, then I learned it is his wedding anniversary. I am sure that the minority would want to join with me in extending congratulations and best wishes to the gentleman.

The CHAIRMAN. I might assure the gentleman that in my house I am the minority.

Mr. NELSEN. Welcome to the ranks.

I would also like to take this opportunity as long as it has been mentioned that our chairman, the gentleman from Arkansas [Mr. OREN HARRIS] will go to other fields. Those of us on the minority, of course, want to wish him well. He has been an outstanding Member of this body and a wonderful chairman.

First, let us look briefly at the recommendation which was directly responsible for H.R. 3140 and S. 596. The committee and indeed the entire Congress, as well as the medical profession and the public-at-large, had every right to expect a lucid, well-reasoned, well-supported explanation of the programs suggested to carry out the President's order to the De Bakey Commission to "do something about it." Let us look at them. They come from the resulting 114 page summary entitled "A National Program To Conquer Heart Disease, Cancer, and Stroke."

The program had five levels of interrelated activity. First were centers of excellence—$40 million in nonmatching grants would be used by institutions at their discretion to strengthen various aspects of their academic and research programs. It was intended to "raise a number of institutions of demonstrated potential to a level of excellence comparable to the few outstanding medical centers of the Nation."

At the second level would be 30 medical complexes, costing $250 million. They are described thus:

> Specifically, the Commission recommends a major program of institutional grants to university medical schools for the creation of medical complexes which would involve participation by community hospitals and other health care facilities, by some of the regional heart, cancer, and stroke centers, and stations developed in proximity to each medical center, and by other community agencies and institutions.

Now that you know what a medical complex is, we shall go on to the next level, the regional centers. Of these there would be 25 for heart disease at $166 million, 20 for cancer at $600 million, and 15 for stroke at $85.5 million. They are described as follows:

Each of the proposed regional centers for heart disease, cancer, or stroke would provide a stable organizational framework for clinical and laboratory investigation, teaching, and patient care related to the disease under study. It would be staffed by specialists from all the clinical disciplines and the sciences basic to medicine necessary for a comprehensive attack on problems associated with the disease. These specialists would have at their disposal all necessary diagnostic, treatment, and research equipment and resources. The center would also provide bed support for the patients under investigation as part of their total care.

Now we are getting down to the local level. The Commission recommended establishment of a national network of diagnostic and treatment stations in communities across the Nation, to bring the highest medical skills within the reach of every citizen. There were to be 150 such stations altogether. One hundred and fifty stations would be for heart disease and cost $117.5 million. Cancer stations would number 200 and cost $225 million, and the 100 stroke stations would cost $77.7 million. To illustrate what would be done in such a place the report gives an example of what might be expected of a typical heart station:

First. Immediate and emergency care for patients with acute cardiovascular emergencies.

Second. Provision of diagnostic facilities for the screening of patients with cardiovascular, including peripheral vascular, diseases to determine whether they will require the more highly technical facilities available at the larger medical centers.

Third. Outpatient services for patients with cardiovascular and peripheral vascular diseases.

Fourth. Stimulation of interest of medical students and practitioners.

Fifth. Training of physicians in the community.

Sixth. Education of the general public concerning prevention and treatment of heart disease.

And there we have the basic units of the system H.R. 3140 was meant to implement. At first I was concerned because no matter how I read the report or the bill I could not make much sense out of it.

Dr. Dempsey of HEW, under questioning, finally indicated that the Department had not bought the recommendations of the Commission after all. The legislation combined the 30 medical complexes and the 60 regional centers of the De Bakey proposals in one level called regional medical complexes and had limited them to 30. When it came to diagnostic and treatment stations the administration spokesmen were mighty unclear about what they were and how they would operate.

By this time I had begun to realize only too well why most of the practicing physicians across the country were deeply concerned about the so-called De Bakey proposals. They suspected that a whole new concept of medical care was about to be brought forth. They visualized the downgrading of the local hospital and the private doctor in favor of Government subsidized and controlled centers reaching down to the community and drawing all patients in these three categories into a huge integrated medical machine. They could not be sure about all this because no two people, doctors or otherwise, could arrive at identical conclusions about the program.

I have every reason to listen to my personal physician, Dr. Shepherd. If I had listened to him more carefully over the years I would be far better off physically than I am. He knows that no program we devise here, even a good one, will solve the basic problem of bringing health services to the smaller communities of this Nation. All the talk of the clinical approach, of advanced techniques and sophisticated devices for diagnosis and treatment are just conversation in such areas. They will not and cannot become realities for them. Their needs are more basic. They need doctors on hand.

As the hearings went along and more and more testimony accumulated it became very clear that general practitioners are not being created because the great emphasis on specialization and the categorical approach to medical problems discourages it. In fact, it began to appear that general practice is being consciously downgraded by those of the medical profession who should be most anxious to encourage it—the medical schools and the professional men of the health sciences who make up panels like the De Bakey Commission.

Dr. Shepherd and doctors like him need support. The medical schools should help the general practitioner increase his competance in every way possible. This seems to be underway. But a new generation of general practitioners must be trained and encouraged.

I have the greatest respect for the distinguished members of the President's Commission. They are gifted practitioners of the healing arts. I also have great respect for the local doctor who is ministering daily to the members of his community. His thoughts and his concerns about medical matters are also of great importance to us.

And here is where we determined to make some sense out of this legislation which was brought to us out of a blue cloud. Most practicing doctors wanted the matter deferred until some of the cloud banks could be penetrated and the daylight of examination and discussion could begin to press it into some recognizable form. It seemed that it hung over them like a shapeless genie, perhaps good, perhaps evil. All of the phrases thrown out, like rose petals at a wedding, about preserving the present patterns of patient care and medical practice did not allay those fears. I agreed that more time would be useful to allow the discussion to run its course and supported a motion to defer action until next session of the Congress. This did not prevail because the White House cannot let Congress do its work in orderly fashion these days and apparently it was ready to settle for anything containing the words heart, stroke and cancer. Despite misgivings on the part of many of its members, the committee settled down to write some legislation which could meet the objections and still make a start in the direction indicated in the original charge of the President's Commission. The result is the bill before you today, which came from the committee with full support.

The changes are many and they are not mere clarifications or exercises in semantics. They change an amorphous mass of objectives into a recognizable program which deals with units and controls thoroughly understood by those who must work with them. The bill now talks in terms of medical programs, put together by existing institutions under the eye of a local advisory board. It talks about cooperation and not coordination. The former means voluntary involvement and the latter infers an imposed plan. It talks of hospitals and not of diagnostic and treatment stations. The latter is an entity not familiar to practitioners, but we can all visualize a hospital and have a definite idea what it does, what it looks like, and who runs it.

So the De Bakey proposals were scrapped for lack of clarity and suspicion of subversion to the American system of medical care.

What did the committee substitute and what changes were made? The report on the bill accurately states:

> Numerous changes were made in the introduced bill by the committee designed generally to better define the scope of the program and to clarify the intent so as to guarantee that the legislation will accomplish its purpose without interfering with the patterns or methods of financing of patient care or professional practice or with the administration of hospitals.

This statement alone indicates the magnitude of the changes and the fact that the legislation as introduced was miles off the mark. Here are the specific changes:

First. Regional medical complexes were mentioned earlier in my statement. No one could even now define what they are or how they would operate. The committee substituted the term "regional medical program." At the same time, all authority to use funds for new construction, including replacement of existing buildings was removed. These are referred to in the report as primarily semantic changes. Do not believe it. They remove the specter of huge, new, autonomous institutions which receive their funds directly from the Government and quickly dominate every phase of medical practice and hospital practice in the fields of heart, stroke, and cancer.

Second. The original legislation allowed for expansion for other major diseases. The committee restricted the scope of this legislation to related diseases. That too is something more than a refinement. We have no idea that plans devised by the various States will be the ultimate answer in conquering the three diseases named. This is experimental. It cannot guarantee success in the war on heart disease, stroke, and cancer. It will do well if, from the many medical programs devised, we discover one or two which have real promise. There is little reason to leave room for expansion into other fields.

Third. The term "cooperative" was substituted for "coordinated" wherever the latter appeared. This helps to remove the prospect of domination of the program by one large institution. A program can be beautifully coordinated if all the power is concentrated at the head. What we are striving for here can only work if all elements participate through cooperative arrangements.

Fourth. Grants will be used for planning, conducting feasibility studies and operating pilot projects for the establishment of regional medical programs of research, training and demonstration activities.

Fifth. Diagnostic and treatment stations have been eliminated. The bill now speaks of hospitals which participate in the program. This also demonstrates the basic character of the changes made in committee. Now the bill refers to the local hospital participating in a cooperative program. We can explain to anyone what a hospital is by merely mentioning its name. Any citizen has a definite idea of how a hospital operates, what it looks like, what kind of people service it, and who runs it. The fight against heart, stroke and cancer will come to the local patient through the people he knows and trusts and through an institution with which he is thoroughly familiar.

Sixth. This legislation provides for advisory councils at both the local and national level and in each case the council must recommend a program before it can be implemented or funded. Of these two, however, the council at the local level is by far the more important. First of all, its membership is important. It must include practicing physicians, medical center officials, hospital administrators, medical society representatives, voluntary health agency personnel, as well as people from other organizations concerned with the program. But even the best council will not guarantee a sound program if that program is set up before the council is organized and has a chance to act upon it. For this reason the bill provides that the advisory council must be organized and must pass upon the local program before it may be considered by the Surgeon General. This should guarantee that the plan worked out in a State will not be lopsided, concentrating too heavily upon one area of activity or placing too much authority or responsibility with any one institution.

One might also object to the spending of $340 million in this fashion. It is difficult to justify any certain amount in detail. Grants will depend upon the nature of the programs submitted for approval. Probably they would soak up any amount made available. The Debakey proposals suggested appropriations of over $1.4 billion. S. 596 provides for authorizations of $650 million. The authorizations contained in this bill are not small, although they do not loom large when considered in conjunction with all funds available to NIH. If the program outlined in H.R. 3140 is to go forward it is the best judgment of our committee that the authorizations set forth are about right.

I am proud of the fine work done by the Committee on Interstate and Foreign Commerce. The result of its deliberations can be accepted with confidence by the House. If it is decided that action is necessary now I recommend the passage of H.R. 3140.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to our distinguished chairman.

Mr. HARRIS. I mentioned a moment ago that among the things I would like to call to the attention of the House is the thoroughness with which we went into this program and developed information on these matters.

One of the things that I believe is very important is the fact that in March of 1964 the President set up a Commission which had as its Chairman the distinguished Dr. De Bakey, to whom the gentleman from Minnesota referred earlier. There were 28 members of the Commission, and on the Commission there were

14 well-selected doctors from points throughout the United States. They were men who are eminent in the field.

They included such eminent doctors with lifetime experience behind them as Dr. Mayo from the Mayo Clinic. Other famous doctors and surgeons were included.

We had people who specialized in the field of heart, cancer, and stroke, some of whom came and testified in a panel with Dr. De Bakey on this program.

I thought that the gentleman ought to have the benefit of that information. The Presidential Commission conducted hearings which lasted for about 9 months. The Commission heard 165 witnesses, if I remember correctly. They developed a tremendous volume of testimony, approximating 7,500 pages.

That famous, important, and highly specialized Commission of medical experts made its report in December 1964. It made specific recommendations; it also made general recommendations. Out of the recommendations of that Commission came the bill which I introduced as the administration bill submitted by the President. There was brought to us the original recommendation that we have for our purpose and objective today.

We conducted hearings which lasted a total of 8 days in July of this year. Many of those hearings ran from morning until late afternoon; then a number of days were devoted to consideration by the committee itself in executive session.

I thought probably we should make that history abundantly clear to those who will administer the program, as well as those who are to receive the benefit of it. I thought that, with the gentleman's permission, this information ought to be brought to the attention of the House.

Mr. NELSEN. I thank the chairman. After the original bill had been considered, the chairman did an outstanding job and the bill was much improved.

Mr. ROUDEBUSH. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. I should like to ask the gentleman a question. I refer specifically to the Veterans' Administration hospital system. In the case where a Veterans' Administration hospital system has a teaching staff, assuming the organization furnishing the teaching staff—such as a State university—is participating in the program proposed by this legislation, would this program in any way modify the entrance or eligibility requirements for entering a Veterans' Hospital?

Mr. NELSEN. I do not believe so. If the gentleman will restate his question for the chairman, perhaps the chairman can respond.

Mr. ROUDEBUSH. I ask this question for the purpose of writing legislative history. I specifically direct my remarks to the Veterans' Administration hospital system throughout the United States. Let us assume a VA Hospital has a participating program, a teaching program where a State university or some other hospital may work with them in treating patients of the type covered by this bill. Would this legislation in any way modify the eligibility or entrance requirements to enter a veterans hospital?

Mr. HARRIS. No, sir; it would not at all.

Mr. ROUDEBUSH. In other words, the VA could use this program without modifying the rules and regulations pertaining to admission to Veterans' Administration Hospitals?

Mr. HARRIS. Yes, indeed. This would not conflict.

Mr. ROUDEBUSH. Would it modify the requirements of any private institution, such as a Masonic group or an Elk group?

Mr. HARRIS. No, sir; it would not. This is purely a voluntary program of cooperative arrangements with institutions in a given area.

Mr. ROUDEBUSH. I thank the gentleman for his answer.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I should like to ask the gentleman a question. As one who serves on the Committee on Interstate and Foreign Commerce I have been somewhat disturbed by the attitude of the officers of the American Medical Association in opposing this particular bill at this particular time. As the gentleman knows, I sit on this committee next to Dr. TIM LEE CARTER, who is himself a practicing physician, whom I respect highly and to whom I do not hesitate to look for guidance on this bill, as I did while we were conducting hearings.

I have before me page 19 from the Journal of the American Medical Association dated September 20, 1965, volume 193, No. 12. On this particular page the Medical Association discusses the bill we have before us. It discusses in detail the 20 changes which the American Medical Association suggested to the bill and which we on the committee readily adopted. Yet in conclusion this statement is made:

> While we cannot support H.R. 3140 as amended, because we believe it still introduces an undesirable concept, the amendments agreed to by the administration and now adopted by the House Committee on Interstate and Foreign Commerce certainly make the bill much less objectionable.

My question to the gentleman is: Does he know of any other amendments that were suggested to our committee, other than these 20 we adopted, suggested by the American Medical Association to make this a better bill? I sat through the hearings and listened intently. I, as one Member, know of no other suggestions which were made. I believe we adopted all that were suggested to make this a better bill.

I ask the gentleman if he knows of any others that were not adopted?

Mr. NELSEN. In response to the question, I know of no suggestions that were made to the committee. I will yield to our chairman for a further answer. I believe a representative of the AMA did consult with some of the staff people, and perhaps with the chairman, to try to arrive at some position relative to the objections of the AMA. I hope the chairman will enlarge on that. It is my understanding that an agreement was largely reached on most of the points.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the chairman.

Mr. HARRIS. Let me say to the gentleman as chairman of the committee I am indeed grateful for the valuable contribution made both by the gentleman from Michigan [Mr. HARVEY], and the gentleman from Minnesota [Mr. NELSEN], to this program.

I am glad the gentleman has brought up this subject matter. There were other amendments, of course, that were proposed, and they were very important amendments.

The American Heart Association, if my colleague will recall, did submit a document in which they included several amendments, some of them similar to some of the amendments that the American Medical Association proposed, and which were worked out in cooperation between myself and the HEW people so as to fit within the framework of this legislative proposal. There were certain other amendments that were proposed to us during the course of the hearings. As we considered this matter within the committee itself, several members of our committee offered amendments to the bill as we went along.

So I will say to the gentleman that there were a number of proposals from various sources. While we are talking about this, in view of the fact that the gentleman from Michigan brought up this bulletin of the AMA of September 2 and a news release by the AMA, if the gentleman will permit, I would like to call the attention of the Members to the fact that you will find the entire bulletin in the committee report at the bottom of page 7 and the top of page 8. I would like to read three sentences from this report. On page 8 of the report the bulletin contains this sentence:

> Many of the changes are substantial and will allay many of the fears the medical profession had about the original bill.

To me that is a very significant statement, which refers to the 20 amendments to the bill that have been recommended by the AMA committee.

Also in the news release it is stated:

> Dr. Appel said he told administration officials—

Relating to the conference I referred to earlier in the debate with the President and the HEW people—

> Dr. Appel said he told administration officials that passage of the original bill would have been followed by a severe adverse reaction from the medical profession.
>
> Most medical leaders felt that the establishment of the series of medical complexes initially conceived would have had a more serious long-term effect on medical practice than the recently enacted medicare law.

I referred to that earlier in debate. We met the problem by establishing a cooperative program, or rather emphasizing that this is a cooperative program.

Finally, here is what he says:

> We feel we were successful in getting a number of major changes in the bill which

will help to preserve the high quality of medical care and the freedom of hospitals and physicians.

So to me there is a recognition of the fact that the committee has worked in cooperation with those whom we know we must depend upon to make this program successful so as to try to meet their own recommendations and philosophy.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. NELSEN. I yield to the gentleman.

Mr. HARVEY of Michigan. Let me see if I can expand on that record. On page 8 of the report quoted by the chairman, which is taken from the same journal of the AMA here, it would indicate that the committee accepted, as Dr. Appel says, 20 amendments to the bill as recommended by the AMA. Now, by my count, I have some 22 amendments that we accepted. Could the chairman or a member of the staff tell me whether 20 or 22 is the correct figure?

Mr. HARRIS. Well, I would say to the gentleman I believe the correct estimate is there were probably 40 or 50 amendments which we considered, but some of them were similar. As a result, we did merge them within the bill itself.

Mr. HARVEY of Michigan. Mr. Chairman, I thank the gentleman. I want him to know that it has been a very great pleasure to the gentleman from Michigan to serve with him as chairman of this committee, and that I intend to support this legislation wholeheartedly.

Mr. HARRIS. I thank the gentleman and again compliment the gentleman from Michigan, the gentleman from Minnesota, and all members of the committee for the tremendous amount of work they have put into this legislative program in order to bring out something that this House, in my judgment, should unanimously accept.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, I want to say, too, as the chairman has stated very clearly I think, that the committee considered this legislation as carefully as any we have ever considered, to try to take in all viewpoints. And as has just been brought out in the very recent colloquy, the practicing physicians were definitely brought into consideration.

I know that I had physicians from my own area come to talk about this. We talked about this program and I think we have allayed their concern because, when the legislation came out of the Senate, I think there was the general feeling that this was going to be a program to build tremendous new complexes all over the country. This is not true. The committee wrote this into the bill that this would not be the case. Rather we are developing cooperative programs for continuing education to bring the latest methods to our local community hospitals. That is the thrust of this program as it comes out of our committee.

Further I think the doctors were concerned that Washington was going to say where these regional programs would go, and so the committee took that into consideration and we have made the legislation provide that it will be the local groups—and we have even provided that the local practicing physicians must be a part of this local group, to make the plan before it is put into being. It cannot be done in Washington. It has got to be done in the local areas. This is a very reassuring approach in this whole field.

I think, too, the local practicing physician that has to treat the patient all over this country was afraid that his patient was going to be taken to a great complex and then he would never know what happened to him, he would never have any more contact with his patient. To prevent that from ever happening, we have written into the legislation as a safeguard, in response to the physicians themselves, that every patient who can get any benefit from this program will have to be referred by his own physician. This assures the continuing patient-physician relationship that we have always known in this country.

Furthermore, to give greater assurance we have provided, as the chairman has stated, that there must be practicing physicians on the National Advisory Committee. Safeguards have been written by the committee to assure the practicing physician as well as the Congress itself that we have in this legislation an effective program to bring the latest methods to the community hospital for the benefit of the local physician to treat his patients in the local community.

I think it is an excellent program. I think you are going to see this program have real benefit in bringing the latest treatment in heart, cancer, and stroke to the average community all over this country so that people will not necessarily have to endure the expense of going to a big medical center, of which there may be only a few throughout the country, such as the De Bakey Heart Center or other such outstanding centers.

So, Mr. Chairman, I would urge strong support of this measure, and I am very certain it is going to bring about the great benefits that we can see even today.

I thank the gentleman for yielding.

Mr. NELSEN. Mr. Chairman, I would like to emphasize the point that has been made by my friend, the gentleman from Florida [Mr. ROGERS], that early in the hearings I believe the general practitioner felt a wee bit on the outside, probably because of lack of communication. But under the terms of this bill he will be made a part of that team, and that is emphasized in the language that presently is contained in the format of procedure under this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. HARRIS. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I rise to support H.R. 3140 and to congratulate the distinguished chairman, the gentleman from Arkansas [Mr. OREN HARRIS], who has for many years distinguished himself as the guardian of the Nation's health, for helping us take another giant step in that direction.

For many years before I came to the Congress I was identified with organizations engaged in support of your chairman's dedication to a fifth freedom for all Americans—freedom from illness, disease, and disability. For more than 28 years I served as a voting member of the New York City Cancer Committee of the American Cancer Society. For 35 years I have been active in the Federation of Jewish Philanthropists in New York City, a volunteer agency supporting 116 institutions, including hospitals, homes for the aged, and institutions for the disabled and chronically ill. For 16 years I have been an officer and director, and for the past 9 years, president of the National Council to Combat Blindness—Fight for Sight. I am a director of the Chronic Disease Hospital of Brooklyn, one of the largest private institutions for the chronically ill in the United States. Because of these affiliations and others, I was motivated to introduce H.R. 9318, a companion bill to H.R. 3140, and to appear before your committee in support of this legislation.

In recent days, as in the past months and years, we have experienced the passing of dedicated public servants, important personalities, a close friend or neighbor, an associate, a member of the family—a victim of one of the Nation's three most devastating killers—cancer, heart disease, and stroke. Such incidents serve as a constant reminder that our struggle against premature death is the Nation's most urgent unfinished business. These three killers take a toll of 1,300,000 of the 1,700,000 Americans who die each year from diseases of all kinds.

This Nation, the richest and most powerful Nation in the world, blessed with citizens of great skill, ingenuity, and capacity—capable of launching its Mariner IV into space to travel 133 million miles to photograph the surface of the planet Mars while it continues on its predetermined course.

This Nation, engaged in a war on poverty, a program which seeks to eradicate a condition experienced by a significant segment of the world's population from the time of creation to the present day.

This Nation with its deep sense of responsibility not only to the underfed, the underclothed, the underhoused, within its own borders but which has responded with great concern to the needs of the poor beyond its boundaries and throughout the world.

Such a Nation cannot and must not accept defeat in the war against the dreaded and devastating killers—cancer, heart disease, and stroke.

Health is a basic human right. Its enemy—disease—respects no geographical boundaries. It discriminates against no one, irrespective of political belief, social or economic status, race or religion.

Every program to protect the Nation's health merits the unqualified support of every citizen. Such efforts are not Government handout programs, they represent a businesslike investment in our most important national asset, our most

valuable natural resource, the people of the United States. Every program for Federal aid to medical research, for the aid of the mentally ill and mentally retarded, for the training of doctors and nurses, for the building of medical colleges, hospitals and institutions for the care of those less fortunate than ourselves, represents a compassionate recognition of our fellow men.

The history and record of medical research is one which has paid off in great dividends in lives and dollars. In the last 20 years death rates from the following causes have shown significant percentage declines as a result of research:

	Percent
Polio	100
Tuberculosis	87
Influenza	88
Appendicitis	85
Acute rheumatic fever	90
Maternal deaths	85
Whooping cough	83
Syphillis	82

While significant achievements in the field of mental health have been made, there is still much to be done. Countless men and women have been returned to their homes, their families, their businesses—their usefulness to society restored.

Medical research is responsible for a decline in the death rate during this same period, during which 2½ million lives have been spared—actually this is the number of additional people who would have died if the 1944–45 death rate had prevailed through 1964–65. Included in these 2½ million lives are more than 1 million wage earners whose combined earnings are over $6 billion annually and on which the Federal Treasury receives in income, gift, and excise taxes an estimated $1 billion a year.

The marked advance in the science and technology of medicine and its principal byproduct—the Nation's health—resulted in increasing the life span from 49 years in 1900 to 60 years in 1937, and to 70 years in 1962—yet the late President Kennedy stated that "America's health remains unfinished business" and it is so regarded by President Johnson. In 1961 in the first of three annual health messages to Congress, President Kennedy stated:

> The health of the American people must ever be safeguarded; it must ever be improved. As long as people are stricken by a disease which we have the ability to prevent, as long as people are chained by a disability which can be reversed, as long as needless death takes its toll, then American health will be unfinished business. It is to the unfinished business in health—which affects every person and home and community in this land—that we must now direct our best efforts.

This recognition of the urgency and seriousness of the problem of the Nation's health has ofttimes merited the recognition from those in high places. The drive to raise the standards of health in the United States through medical research will represent the most exciting stories in the pages of our history.

Federal aid and recognition of the problems of our Nation's health is not a new concept. In 1916, the Democratic platform adopted at the convention held in St. Louis, Mo., at which Woodrow Wilson was nominated for President contained the following lines:

> We favor the establishment by the Federal Government of tuberculosis sanitariums for the need of tubercular patients.

President Truman said 9 years ago:

> In this battle there is no room for political or professional rivalries. In a war against disease we cannot tolerate false economy—we cannot tolerate timidity—we will not tolerate indifference.

In President Johnson's historic message to Congress on January 7, 1965, "Advancing the Nation's Health" the conclusion reads as follows:

> I believe we have come to a rare moment of opportunity and challenge in the evolution of our society. In the message I have presented to you—and in other messages I shall be sending—my purpose is to outline the attainable horizons of a greater society which a confident and prudent people can begin to build for the future.
>
> Whatever we aspire to do together, our success in those enterprises—and our enjoyment of the fruits that result—will rest finally upon the health of our people. We cannot and will not overcome all the barriers—or surmount all the obstacles—in one effort, no matter how intensive. But in all the sectors I have mentioned we are already behind our capacity and our potential. Further delay will only compound our problems and deny our people the health and happiness that could be theirs.
>
> The 88th Congress wrote a proud and significant record of accomplishments in the field of health legislation. I have every confidence that this Congress will write an even finer record that will be remembered with honor by generations of Americans to come.

On May 25, 1964, I had the privilege of appearing at the public hearing held by the State Delegation Platform Committee at the Garden City Hotel, at which time I proposed that the Democratic national platform include a statement in support of legislation designed for an all-out attack on the three biggest national killers—cancer—heart disease—and stroke—and for increased support for medical research to guarantee to every American citizen a fifth freedom—freedom from illness, disease, and disability.

Accordingly, Mr. Chairman, I was pleased beyond my poor ability to express, when the President of the United States on January 7, 1965, sent to the Congress of the United States his health message, which included a specific recommendation for legislation authorizing a 5-year program for grants to develop multipurpose regional medical complexes for an all-out attack on heart disease, cancer, stroke and other major diseases.

The legislation which this distinguished committee is now considering provides for the establishment of regional medical centers—affiliated with medical schools and teaching hospitals—to ensure the most advanced diagnosis and treatment for patients, as well as accelerated research and development of training skills. Proper health care depends upon the availability and accessibility of modern, conveniently located, well organized, and supervised medical facilities and services.

This legislation authorizes appropriations of $340 million over a period of 3 years—a sum of less than $1.75 for every American man, woman, and child to start this program of education, research, training, and demonstrations in the fields of heart disease, cancer, stroke, and related diseases.

Mr. Chairman, I urge my colleagues to join in support of this legislation.

Mr. HARRIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. I thank the distinguished chairman of the Committee on Interstate and Foreign Commerce for yielding.

Mr. Chairman, I wish to associate myself with the statement of the gentleman from Minnesota; I concur with the expressions of the gentleman from Florida [Mr. ROGERS], and I am particularly grateful to the full committee chairman for having produced in several months of deliberations what at first appeared to be the work of an entire winter, in consideration of the 20 amendments which have been added to this original bill.

Mr. Chairman, I am one of the Members of the House who also met with the physicians and citizens of my district. Throughout Wyoming I found the doctors deeply concerned with the original provisions of this bill and I now find them relieved, and several have expressed some gratitude that this bill has been so amended by the full committee. It is now much more palatable to the members of the medical profession in my State, if not admittedly acceptable to the Wyoming Medical Association. It was in the hope that these amendments would be adopted that I had originally requested that this bill be allowed to remain in committee until the 2d session of this 89th Congress.

Mr. Chairman, I do hope the President of the United States will be pleased with this bill; I hope he can appreciate the tremendous work that has gone into it and I hope he will accept it as a capstone of an unprecedented first session of a Congress whose Members now feel that we ought to adjourn and go home.

Mr. HARRIS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I wish to thank the gentleman from Wyoming as well as the gentleman from New York for their generous compliments and their fine statements on this legislative program.

Mr. Chairman, I believe I can say, without fear of contradiction, that the President would be very happy to have this bill as it has been reported by the committee and as we are considering it here in the Committee of the Whole House on the State of the Union today.

Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, I want to congratulate the committee and say that I am in wholehearted support of this bill.

Mr. Chairman, in reading on page 8 of the report, I see a statement from the American Medical Association, as con-

tained in its letter, to the effect that it says this bill introduces an undesirable concept.

Mr. Chairman, of course, I look with a jaundiced eye myself as to any position taken by the American Medical Association. So I cannot understand wherein, despite the fact so many amendments of theirs were accepted, the American Medical Association still expresses some doubts about this legislation. This is what I cannot understand, and I believe I shall never be able to understand the ideas, the views, and the concepts of the American Medical Association.

Nevertheless, as I understand the bill, it certainly represents a great step forward.

Mr. Chairman, I wish to compliment the committee for its efforts and I support the legislation.

I am certain it will pass unanimously.

Mr. HARRIS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, in view of the fact there has been so much discussion over the amendments which were proposed by the American Medical Association and accepted by the committee, I might explain further that many of these amendments were also recommended by other groups and organizations, such as the American Heart Association, and other well-known organizations in this country.

I want to make it abundantly clear that even though we did work out this bill with these innumerable amendments referred to, we did not by doing so in any way adversely affect or jeopardize what was originally intended as the objectives of this legislation. I want to make it abundantly clear that in our judgment the committee improved the legislative program to accomplish what was sought. I think we should keep this in mind. We did not at any time accept any amendment that would take anything from the bill in order to accomplish what we sought to accomplish as a legislative program.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I would like to back up the chairman in the statement he has just made. It is absolutely correct. I want to say also I feel that the chairman did a magnificent job in bringing this legislation to its present point before the House today because, as has been mentioned, this legislation came to us with great controversy. I do not know of anyone in the House of Representatives who has exhibited more skill in bringing about the adverse parties to a consensus of what should be done and what has been approved by our committee than our chairman, and I want to compliment him.

I am sure all of the committee will agree with me, when I say he did a magnificent job in making this piece of legislation an effective piece of legislation, in conformity with what was originally intended to help solve the problems of heart, cancer, and stroke.

Mr. HARRIS. I thank the gentleman, and I compliment him highly for the valuable contribution he has made to this program.

Mr. ROGERS of Florida. Mr. Chairman, in support of this important legislation, the Heart Disease, Cancer, and Stroke Amendments of 1965, we are called upon to consider many vital issues, but it is difficult to imagine any problem which is more deserving of our best efforts than the scourges of heart disease, cancer, and stroke. Medical experts estimate that more than 70 percent of all deaths in this country are attributable to these diseases, and in 1963 these three diseases claimed more than 1.2 million American lives. Certainly we can agree that the victims of these ailments should be assured of the benefits of the latest advances in medical science.

In recognition of the magnitude of this problem, the President appointed a Commission on Heart Disease, Cancer, and Stroke to recommend steps to reduce the incidence of these diseases through new knowledge and more complete utilization of the medical knowledge already in existence. That Commission, which included many eminent medical experts in the fields of heart disease, cancer, and stroke, issued its report last December, and the bill which we are considering today is intended to meet some of the needs cited by the Commission. The essential finding of the Commission was that many lives could be saved and much suffering could be prevented if the most advanced knowledge already in existence concerning the diagnosis and treatment of these diseases could be applied more widely. The Commission report also held out the hope that the extensive medical research activities now underway would be the basis of continued progress in the development of improved means of diagnosing and curing these dread diseases, and that the need to transmit these advances to the benefit of patients called for additional efforts by our medical institutions and personnel. The purpose of this legislation is to meet these needs in providing opportunities to make available to more patients the latest advances in the diagnosis and treatment of heart disease, cancer, and stroke. The proposed program is a natural outgrowth of the great medical research effort of this Nation which has been stimulated over the years by the actions of this Congress. This program should assist significantly in the final payoff of these research activities.

This legislation will carry out these purposes by providing support for cooperative arrangements which would link medical schools, clinical research centers, and community hospitals in regional medical programs providing for research, training, and for related demonstrations of patient care in the fields of heart disease, cancer, stroke, and related diseases. These regional programs will provide a setting for improved means of continuing education for practicing physicians in advanced diagnostic and treatment techniques. The program will make more widely available the trained teams of medical personnel and the specialized equipment to assist the practicing physician in applying these advanced techniques. Patient referrals will be facilitated in order to provide access to the specialized techniques necessary for a particular case. Interchange of personnel between community hospitals, medical schools, and other medical centers will be encouraged. These activities will provide assurances that a close relationship is established between the community hospital and its related practicing physicians and the medical schools and other medical centers where advanced diagnostic and treatment techniques are being developed and perfected through clinical research and teaching activities.

There can be little argument with the objectives of this legislation; however, our committee felt that the means of carrying out these objectives deserved the most careful consideration. We recognized the already great accomplishments of American medicine, and we wanted to be able to assure our colleagues that the legislation which we presented to you would not in any way jeopardize the medical system of this country which is already the envy of the world. We held extensive hearings on this bill and heard testimony from many leading medical experts, representatives of medical schools, and practicing physicians. We heard a number of objections and fears expressed about the possible impact of this proposed program on the practice of medicine. My colleagues on the committee and I were determined to examine this bill closely and to make the necessary modifications to allay these fears and objections. I want to express to you my personal belief that the bill which we bring before you today has been carefully modified as the result of our deliberations and is a much sounder piece of legislation.

I want to specifically mention a number of the changes which the committee made in the bill. It was clear to us in our consideration of this proposal that the success of this program depended upon the active participation of practicing physicians who are the first line in our battle against disease. We wanted to emphasize in this legislation the need to involve the practicing physician. The bill already provided that a local advisory group be designated to assist in the planning and operation of a regional medical program. We added the requirement that this group must include practicing physicians and representatives from appropriate medical societies, as well as representatives of medical institutions and agencies. We also added to the bill the requirement that an application for a grant under this program must be approved by this local advisory group. We specified that the National Advisory Council established under this legislation must contain at least two practicing physicians, and we added the requirement that the National Advisory Council must approve all applications before a grant can be awarded by the Surgeon General.

The committee also amended the bill to specify that patients provided care under this program shall have been referred by a practicing physician. We

added a provision which requires the Surgeon General to publish a list of facilities which provide the most advanced methods and techniques in the diagnosis and treatment of these diseases and to make such list available to licensed practitioners. We also made a number of changes in the bill which emphasize the cooperative nature of these regional medical programs.

Your committee also acted to correct some of the misunderstandings concerning the purposes and objectives of this legislation. The title of these regional programs was changed to correct the misunderstanding that this program provided for the construction of a large number of new medical facilities that would compete with existing institutions and personnel. To further clarify the emphasis of the program, we eliminated from the bill the provision authorizing the construction of new facilities. It was our belief that the initial emphasis of this program should be on the provision of assistance to existing institutions, and that the program could be implemented through the utilization of presently existing facilities or through the use of existing construction authorities.

We amended the bill to sharpen the focus of these programs on the three major diseases which were the initial basis of the justification of this proposal. We made changes which clarified the importance of training and continuing education in the effectiveness of this program. The testimony which we received emphasized the importance of these educational activities in carrying out the objectives of the bill. We also changed the bill to make sure that research activities related to these programs would involve the application of the advances of science to the problems of patient care. To further delineate the program and to emphasize the involvement of existing institutions, we eliminated the provision for diagnostic and treatment stations and specified that the regional programs would include hospitals.

Finally, in order to insure an orderly development of this program, the committee has amended the bill to provide grants for planning, feasibility studies, and pilot projects, and we have limited the authorization to 3 years and have provided specific appropriation ceilings for each of the 3 years. We believe that these amendments provide a sound basis on which to proceed with the development of the program. The experience gained from the regional medical programs planned and established in these 3 years will provide solid grounds for reevaluating the program at the end of the 3-year authorization. During these years, extensive experience should be developed in implementing this program in a number of different areas of the country. The committee intends to watch these developments very carefully.

I want to thank the representatives of the medical societies of my own district for their counsel and advice. I also want to thank representatives of the Department of Health, Education, and Welfare, especially Under Secretary Wilbur J. Cohen and Dr. Edward W. Dempsey for their assistance during the remolding of this legislation. They met with the representatives of the American Medical Association and discussed the legislation and various modifications at length. They were firm in their convictions and articulate in supporting their views on this important program. However, when those of us on the committee requested technical assistance in shaping amendments the full competence of these men and their staffs was used to make those amendments meaningful and effective.

I believe that this bill, as amended in committee, is a splendid indication of the constructive results which can be achieved when the medical profession is willing to consult and work with Government in a productive manner.

I am convinced that the bill that we are considering today is a better bill because of that cooperation. It provides for a substantial beginning in seeking to accomplish these worthy objectives, but it emphasizes the need to proceed carefully and to evaluate this major new effort in our battle against disease. It is my pleasure to urge the passage of this legislation.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I am sure there is not a Member of this body who does not want to do all he can in the field of heart, cancer, and stroke. Certainly I do. I know this committee, of which I am a member, worked very hard on this legislation. That was brought out in the testimony.

I would like to ask the gentleman whether or not there might be a severe shortage of research people who would be needed to carry out this program? I am wondering if it can be met adequately so that if the program is enacted into law we will have capable people in this field, and it will not take away from the other research institutions that are conducting work in this area?

Mr. HARRIS. The gentleman is correct. We did have the question of manpower raised during the course of the hearings and during our consideration of the program. We feel the authorization which we have provided will cause additional manpower to be trained to carry out these programs without interfering with the manpower needs in other fields of health, and in the medical profession. We feel that we have met that situation.

Mr. CUNNINGHAM. Would the gentleman say that it is going to be a problem to get this additional manpower; that it will take a little time?

Mr. HARRIS. It is always a problem to obtain manpower because you have to train them. That is why we provide in this legislation a training program for people who are to be trained in the medical profession and in the medical schools themselves.

In that way we think we can increase the manpower available and at the same time give valuable educational training to those who are preparing themselves for this particular field.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. NELSEN. Mr. Chairman, I yield the gentleman from Kansas [Mr. SKUBITZ] 2 minutes.

Mr. SKUBITZ. I would like to ask the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS] a question. Did I understand the gentleman to say that there would be eight regional medical programs started in the first year under this program?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. SKUBITZ. I yield to the gentleman.

Mr. HARRIS. It is believed from the record we have made that adequate planning can be accomplished for recommendations to be made to the National Advisory Council for approximately eight of these pilot plant operations during this fiscal year. We therefore provided the authorization in the hope that that will be accomplished.

Mr. SKUBITZ. On page 10 of the committee report, it states:

> The committee has been informed that there are eight programs in the United States already in the planning stage which are well enough worked out so that it will be feasible to start these programs within the fairly near future.

Will the chairman please tell us in what States these eight programs are located?

Mr. HARRIS. I will say to the distinguished gentleman from Kansas, from the hearings and the information developed for the record, it was indicated that sufficient planning and consideration has been given to indicate the possibility of establishing such programs in the States of North Carolina, Virginia, Ohio, Vermont, Iowa, Missouri, and Wisconsin.

Mr. SKUBITZ. I thank the gentleman.

Mr. NELSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, I rise in support of this legislation. I would like the record to indicate the part that was played by the Massachusetts Medical Society and in particular by its representative, Dr. Robert Browning, of the town of Plymouth, our Nation's first community.

When Dr. Browning first contacted me about this legislation, he was very much concerned with the fact that it authorized new construction of regional medical complexes which conceivably could be imposed upon the existing medical facilities of Greater Boston. In Boston, as most of you know, we have already a most outstanding medical profession which is already furnishing extraordinarily fine service in the field of heart, stroke, and cancer as well as in other diseases.

They were concerned that rival facilities would be established in which fees could be more modest because the facilities would be federally supported, and they could have an adverse effect upon the medical services that were already in existence.

They came down here and presented their case to me and in turn to the committee. I believe that in large measure

their observations have been helpful in the committee's efforts to avoid the kind of problem that could have been created had we not amended the original proposal.

It is my recollection that the De Bakey Commission recommended the appropriation of about $1.4 million and it authorized, or would have authorized, the creation of brandnew facilities that could have been separate and distinct and, in fact, a rival to existing facilities.

The Senate cut the appropriation down to slightly more than $600 million, but still authorized the construction of new complexes.

Your committee, further examining this proposal, has eliminated new construction and has cut the amount of money down to what we believe is reasonable and adequate to do the job. Your committee recognized the need to coordinate existing programs, and have recognized particularly the role of local medical societies and other responsible local authorities in contributing to the planning, development, and operation of the facilities that would be developed around the existing medical plants.

I think perhaps one of our greatest contributions is in setting up an advisory group at the local level, which has to be in on the planning phase as well as in the operational phase. This advisory group will include practicing physicians, medical center officials, hospital administrators, representatives from appropriate medical societies, voluntary health agencies, and representatives from other organizations, institutions, and agencies concerned with activities of the kind to be carried on under the program.

There was an absence of such qualifications among those who initially studied the problem. I believe that the absence from that commission of those who had experience at the local level caused some difficulty and concern on the part of State and local medical societies. I believe that, once they become acquainted with the program which we have outlined in this legislation, they should be satisfied and pleased with the efforts of the committee.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Chairman, I take this time to pursue what my colleague from Kansas was discussing with the distinguished chairman, and that is with reference to the number of projects that may be initiated the first year. On page 10 of the report, I understand there is an indication there will be sufficient funds available for a total of eight programs the first year. Does any member of the committee have any idea or estimate as to how many programs might be in operation by the end of the third year of this bill?

Mr. HARRIS. Yes. As was previously pointed out during debate, a 3-year authorization for approximately 25 programs was made. I also state, for the gentleman's information, that these are supposed to be pilot projects in order to demonstrate throughout the country, as much as possible, what can be done, so that similar programs will be encouraged.

The administration originally requested about 32. After consideration by the committee, and after hearings, the committee felt this would accomplish the purposes sought in this program.

Mr. DOLE. I also understand there is a provision which would permit some construction in this bill. Could you explain this?

Mr. HARRIS. Yes. That is what we are trying to do. We want to make a distinction between what would be considered new construction and alterations or modifications, remodeling, and so forth.

As an example, an existing facility might need a new wing. Under this authorization the new wing, or whatever the addition might be, for the support of this kind of program—training, demonstrations, and so forth—could be a part of the construction program.

The gentleman from Texas [Mr. PICKLE] has suggested an expansion of the definition of "construction" which would permit, as an example, a hospital which wished to add two complete new floors to the existing facility to add these floors with aid under this legislation. As I see it, that would come in the category of new construction.

If the facility is a medical school, construction could be proceeded with under the program we provided recently for construction and expansion of medical schools. If it is a research center it would come under the construction program we recently provided for research facilities. If it were a hospital, it would come under the Hill-Burton program, as we refer to it. I appreciate the fact that my name recently has been tagged on to that, for whatever that may mean to the program. Construction could be obtained under that program to take care of the kind of expansion, for a new construction program, as proposed.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 2 additional minutes, so that we may thrash this out.

What we are trying to do is to assure the medical profession and those involved in these programs throughout the country that we do not have any intention of going into a complete new complex idea, of which they were fearful. We would limit it to expansion and alteration and modification and so forth to meet the needs of the program.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Texas.

Mr. PICKLE. With reference to the expansion situation the gentleman from Arkansas mentioned, the situation I had in mind is not new construction in the general sense. As a member of the committee, I agree that on committee we agreed not to get into that field. I believe we should not.

The situation I make reference to is one in which there is a research facility being built now which is in the field of research for cancer alone. I do not envision or make reference to a situation in which there is new hospital construction. Under the term "construction," under both the Hill-Burton Act and the Public Health Service Act, I recognize that generally speaking "expansion" would be covered.

I am hopeful there might be an interpretation of the word "expansion" that the situation I mentioned might be included.

Mr. HARRIS. Mr. Chairman, if the gentleman will yield, I would say in that regard, in order to make the legislative history, if that does not come within the purview of the Research Facilities Act, which we recently extended, and in no way interferes with or attempts to duplicate that program, but comes within the purview of this regional concept cooperative arrangement, then the addition would come under the concept of alteration and modification, for this purpose.

Mr. NELSEN. Mr. Chairman, I yield 5 minutes or as much time as he may desire to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, as one who lost both parents by the ravages of cancer, I certainly have a great interest in the subject of cancer, its origin, its cure, and so on and so forth. I am not necessarily opposed to this bill, but I wish the report had contained some figures as to the amounts of money presently being expended through various programs in projects and research with respect to cancer and heart afflictions. I regret that the report gives no evidence of the hundreds of millions of dollars presently being expended for this purpose. Was this information developed in your hearings on this pending bill?

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield.

Mr. HARRIS. This question was brought up during the course of the hearings, and I believe that the gentleman from Nebraska raised the question within the committee. We do have an estimate that I would say is as nearly correct as is possible. I think you will find that in the hearings on pages 52, 53, and 54. I think that will give the gentleman some idea about the extent of the program on the part of the Federal Government in this field. Now, insofar as the total amount of funds being expended in this country is concerned, when you take into account the philanthropic organizational programs, the National Cancer Institute, and the various regional, private, and local programs that are giving a lot of study and spending a lot of money for this particular dreaded killer, I think it would be impossible to say just how much the people of the United States are giving to this problem at this time. However, it is a terrific amount, which shows just how hard we are trying to meet the problem in order to do something about it.

Mr. GROSS. Of course, there is such a thing as overfunding programs. I want them to have all of the money that can properly be used for this purpose, but here we are expending another $340 million over a period of 3 years. This is no

small amount of money, and there is no indication that this will be the extent of the expenditure. I would have no quarrel with this if I could believe that we were not, through this new program, today initiating duplicating research and other studies that are already being carried on. I am sure the Committee on Appropriations with respect to the Department of Health, Education, and Welfare has been more than liberal in the granting of funds for this and other purposes. This is my deep concern with this matter here today.

Mr. HARRIS. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes. I am glad to yield.

Mr. HARRIS. I want to thank the gentleman for bringing this important point to the attention of the House.

For about 17 years we have been appropriating large sums of money for research. A great deal has been accomplished thereby. We have had many breakthroughs. This program is to meet a gap that exists in order that the results of this research effort will be made available to the people throughout the country.

The gentleman is very familiar with the program in his own State. The gentleman may take pride in the fact that in Iowa they started one of these very programs away back in 1915.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GROSS. I thank the gentleman.

Mr. HARRIS. Away back in 1915 you started the nucleus of a program in the State of Iowa that has developed over these 50 years into the kind of a cooperative arrangement that we hope will be made applicable to other areas of this great country of ours.

I could name many people, as I am sure the gentleman could—in fact, one of our most beloved and distinguished colleagues had the benefit of this great institution in Iowa and, thank God, he is still with us even today. But I know, and I know other Members know, that from these 50 years of effort in the gentleman's own State there are many thousands of people in this country who have received the benefits of this program, of which I know the gentleman is proud, that has come from his own people.

Mr. GROSS. I am well aware of the program in Iowa and of the work that has been done. Of course, it was done without this program. That is not to say that I do not believe that program based upon the achievements in Iowa and elsewhere would not be good for the rest of the country. I am not saying that at all. But I do not want to see duplication where duplication can be avoided. Your own report recognizes that there can be duplication. This I do not want to see because we desperately need to conserve the financial resources of this country.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. DINGELL. Mr. Chairman, I want to commend the gentleman from Iowa for raising this question. I want to assure him that this is one of the questions that very much concerned me during the consideration of this legislation in the committee. But I would like to say, as has the chairman of the committee, that we went through this very carefully to assure the membership of the committee that this will not duplicate existing programs—that is attested to by the fact that the bill came out with the strong support of the membership of the committee, which was well satisfied that this will not represent duplication of existing programs.

I should like to point to programs like Hill-Burton. There is abundant need for more hospital construction than we are able to fund under Hill-Burton.

With regard to the research programs I thoroughly agree with the gentleman. These are well funded both in the public and the private sector. I would point out to my good friend that it is not the intention of the committee that we shall duplicate research or that this will actually be a research program. It is not going to be. It is going to be a program to disseminate information, to assist the members of the medical profession to obtain the fruits of research most readily available to them, to have the new devices readily available to them, to have the new methods and the new machines and the new laboratory facilities available to them on a regional basis for the treatment and care of their patients.

For example, the gentleman mentioned the misfortune that his family had with cancer. I have had in my family a similar misfortune.

I would point out that this will make available facilities for new devices and new methods for identifying cancer at an early date so we can stave it off; new devices for the treatment of heart, stroke, and similar conditions that afflict human beings, so that these will be readily available to members of the medical profession.

Mr. Chairman, I would point out to the gentleman that the AMA had grave reservations about this legislation earlier but, by and large, we have accepted the comments and recommendations of the AMA and have adopted amendments suggested by them to assure that we will not intrude into the practice of medicine and will not engage in unwholesome and unwise legislating in this field.

I share the concern of the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for his comment.

It is my hope—and unfortunately we are losing the chairman of this committee, Mr. HARRIS, at the end of the year and I regret seeing him go—it is my hope that whoever succeeds him will watch closely the expenditure of these funds in order that there be no duplication in spending for this program.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. NELSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HARVEY of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. Mr. Chairman, I am interested to know what will be the application of the provisions of this act, assuming it is enacted, and what the impact will be upon an institution like the great Mayo Clinic, for example. I know that Dr. Charles Mayo is on the Advisory Commission. But I still wonder, because a great many people from my community, when they are confronted with a real health hazard or problem, the first thing about which they think is going to Mayo's.

I just wonder what will be the impact upon a great institution of this kind if this legislation is enacted.

Mr. GROSS. I would say to the gentleman from Indiana, if he is addressing the question to me, that I am unable to answer it.

I would like to inquire, very briefly, of the chairman of the committee concerning President Johnson's Commission on Heard Disease, Cancer, and Stroke.

Am I correctly informed that individual members of this Commission hold contracts, Government contracts, for research?

Mr. HARRIS. Mr. Chairman, if the gentleman will yield, there are some who have their own clinics associated with the existing programs. There are some associated with existing institutions, which institutions have some contracts for certain research projects; yes.

Mr. GROSS. Well, now, does the gentleman think that this is proper? Does the gentleman not believe that under these circumstances there can exist a substantial conflict of interest, when members of a Government commission, recommending a $340 million program of this kind, themselves hold contracts, research contracts, involving perhaps $1 million or more each? This has the elements of lucrative self-perpetuation.

Does the gentleman think that this is a healthy situation?

Mr. HARRIS. Well, in the first place, if the gentleman will permit——

Mr. GROSS. Yes, of course.

Mr. HARRIS. I do not believe the President would have appointed either one of these eminent gentlemen in this field had there been any inclination or indication that there was any conflict of interest.

I do not think there is any conflict of interest involved whatsoever because this is an entirely different program, and neither of these gentlemen have anything to do with any existing projects on research at any particular location of either one of these so-called regional programs.

Mr. GROSS. I can only add that I do not think it is proper that members of a Federal commission, charged with the formulation of a program involving the expenditure of millions of dollars, should themselves hold Federal contracts of any kind. Certainly they should hold no contracts related in any way to the subject matter of this bill and the fields it is designed to cover.

Mr. NELSEN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in answer to the question asked by the gentleman relative to whether or not this would affect, for

example, the Mayo Clinic, the answer, I think, is emphatically "No." It would not in any way damage the operation at Rochester. Actually, they would become a part of the plan for further development to extend to the country some of the research and clinical application research that they are presently employed in there.

Mr. HARVEY of Indiana. I thank the gentleman for his response.

Mr. HARRIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RHODES].

Mr. RHODES of Pennsylvania. Mr. Chairman, I support this meritorious legislation and wish to commend the distinguished gentleman from Arkansas [Mr. HARRIS] and his committee for bringing H.R. 3140 to the House floor.

As a former member of the Committee on Interstate and Foreign Commerce and a member of the Health and Safety Subcommittee, I had the opportunity to participate in the study of the problem which this legislation seeks to meet.

I recall the testimony a few years ago by health specialists who told our subcommittee that many thousands of people die each year of cancer in this country who could live many more years if we could make use of the information and know-how we already have and if necessary facilities to help these people were available.

This is also true of heart disease which annually kills thousands of citizens whose lives could be lengthened.

According to public health specialists, thousands are being crippled for life every year by strokes who need not be crippled if we could apply present know-how and provide needed facilities to meet the problem.

Many citizens are receiving benefits of our medical research programs, but many still go to early graves and suffer crippling strokes.

This legislation for community health centers, facilities, and personnel will bridge the gap between research and application of our know-how.

It is a good investment in the health of our citizens and a valuable contribution in seeking the cause and cure of crippling and killing diseases.

The bill deserves unanimous support of the Congress.

Mr. HARRIS. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. MACKAY].

Mr. MACKAY. Mr. Chairman, I take great pleasure in joining my distinguished colleagues in recommending for passage H.R. 3140, as amended by the House Committee on Interstate and Foreign Commerce.

I am particularly pleased with the substantial changes in the introduced bill which have been made by the committee to define the scope of the program more precisely and to clarify its intent. These amendments guarantee that the legislation will accomplish its purposes without interfering with present patterns of patient care and professional practice. Our medical care is among the best in the world. Our physicians have made tremendous contributions to the well-being of our citizens. It would indeed be foolish for the Congress to attempt to impose on our medical scientists or practitioners any program which, in any way, would attempt to restrict or direct from Washington their activities to promote the health of Americans, young and old.

The local nature of the program authorized under the proposed legislation is clearly stressed. Its primary thrust is to facilitate arrangements among existing institutions. No large Federal facilities, staffed by Federal employees, will be constructed throughout the country according to a master plan developed in Washington. Instead, local community hospitals and practicing physicians will be linked, at their request, with medical schools and affiliated teaching hospitals. These cooperative arrangements will enable the family doctor to put within reach of each of his patients the latest advances in diagnosing and treating disease.

The committee has taken great care to spell out ways by which local control of the programs conducted under the proposed bill is assured. Their concern is most evident in the designation of advisory groups on the local level which must approve any grant application before it can be acted upon by the National Advisory Council and the Surgeon General. The bill states that these local advisory groups must include practicing physicians, medical center officials, hospital administrators, representatives from appropriate medical societies, voluntary health agencies and other organizations concerned with the program.

It is intended that there will be careful planning before a program is approved in any area. The planning, the conduct of feasibility studies, and the operation of pilot projects will all be carried out by local participating institutions and professional organizations. It is anticipated that projects to be undertaken will be quite varied, depending upon the region of the country and the nature of existing facilities. Even when a regional medical program has been funded under this legislation, planning will continue in the area which it serves. In this manner, those closest to a program will be able to modify or expand arrangements in order to meet changing problems in local communities.

The bill further specifies that patients provided care under the regional medical programs must be referred by a practicing physician. I am told that this is a customary arrangement at research institutions such as the Clinical Center at the National Institutes of Health. Thus, in the words of the committee report:

> Except in the case of those patients who, after referral to a facility, receive care incident to research, training, or demonstrations, the legislation will have no effect one way or the other upon the patterns, or methods of financing, of patient care.

It is my understanding, Mr. Chairman, that there are already in existence a number of programs similar to those proposed under this bill. My distinguished colleagues from Maine and other New England States could tell us of the Bingham Associates program begun in 1931. Others could describe imaginative cooperative medical research, education, and service programs in such States as New York, Wisconsin, and Iowa.

In every instance the development of these cooperative programs has enhanced the quality and quantity of medical care available to all patients in the communities within reach. Such development has not interfered with the practice of medicine in these localities other than to attract physicians to them. For alert, forward-looking practitioners cannot help but be drawn by the opportunities such programs provide for continuing education, specialized training, and supportive services.

Mr. Chairman, I am convinced that this bill, as amended, is designed to strengthen the Nation's health resources, to make the best use of the resources we now have, and to assist the doctor in the care of his patient. I urge its adoption.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD on the pending legislation.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DINGELL. Mr. Chairman, I am pleased to speak in behalf of H.R. 3140, a bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases through a program of grants. The principal purpose of the bill is to provide for the establishment of locally administered programs of cooperation between medical schools, clinical research institutions, and hospitals. It is hoped that through these programs research may be advanced, personnel trained, and the latest advances brought to the care of patients suffering from these disorders.

The bill is of great importance, because of the appalling toll exacted by these diseases from the people of the United States in death, disability, and economic burden. Heart disease, cancer, and stroke are overwhelmingly the leading causes of death today. In 1963, these diseases accounted for 71 percent of all deaths in the Nation. Compared with them, all the other hazards of man—infectious diseases, accidents, congenital, and nutritional disorders—fade into insignificance.

Heart disease and stroke accounted for 994,747 recorded deaths in 1963. In addition to their dominance as a cause of death, these diseases are the cause of extremely widespread illness and disability. Studies conducted by the National Health Survey of the U.S. Public Health Service in 1960–62 indicate that an estimated 14.6 million adults suffered from definite heart disease, and nearly as many were suspected cases. Over 2 million Americans are currently disabled because of stroke and there are over 400,000 new cases each year.

The economic cost to the Nation of any disease may be measured in terms of its direct costs in diagnosis, treatment, and rehabilitation, and the indirect costs associated with loss of earnings due to disability and premature death. Heart disease, with its enormous

death toll and still greater prevalence as a chronic disabling condition, imposes a multibillion dollar burden on the economy each year. Direct expenditures for hospital and nursing home care, physicians' services, drugs, and other medical services for persons with heart disease amounted to $2.6 billion in 1962. To this must be added the immense economic burden of lost output. In 1962, 540,000 man-years, or the equivalent of $2.5 billion, were lost during that year through disability from heart disease. Calculations of losses resulting from premature deaths reach really astronomic proportions, amounting, when added to direct costs and output losses, to 4 percent of GNP.

Cancer is the cause of 16 percent of all deaths in the United States, amounting to about 300,000 in 1964, and the rate is rising. About 830,000 people in the Nation are under treatment for cancer, and on the basis of current trends, it can be assumed that about 48 million people now living will become cancer sufferers. While the rise of cancer as a health menace can be charged in large part to the changing age composition of our population, substantial percentages of cancer deaths are in the younger age groups. In 1963, 45 percent were in age groups under 65, and 9 percent were in age groups under 45. Cancer is a leading cause of death in children between 1 and 14 years.

The economic toll from cancer also runs into billions annually. Direct costs of diagnosis, treatment, and care were estimated at $1.2 billion in 1962. The estimate for lost output was 221,000 man-years, or $1 billion. Summing direct costs and losses of output through disability, we get an estimate of $8 billion, or 1.4 percent of GNP for 1962.

More sudden and dramatic than cancer, and usually more sudden than heart disease, stroke looms as the third great health menace of our generation. Its death toll is not far behind that of cancer, and more than double that of accidents, the fourth-ranking cause. The proportion of disabled persons in relation to the total stricken is high in the case of stroke, as 8 out of 10 stroke victims survive the acute initial phase of the disease.

Direct costs of stroke are estimated on the same bases as above at $440 million annually. Output losses resulting from disability and premature death are estimated at $700 million for 1962.

Statistics are useful tools for reviewing the problem of heart disease, cancer, and stroke in terms of deaths, disability, and financial loss. They are of course quite useless for measuring the suffering and the human loss. There are no measures for these.

Fully as great a problem as the simple fact of the existence of these three health menaces is the problem of applying what knowledge we have to them. Several hundred thousand unnecessary deaths occur each year from heart disease, cancer, and stroke. Even the well-publicized advances are not reaching all of our people. Until a few years ago, victims of certain congenital heart defects were doomed to die in infancy; now they are growing up toward productive adulthood. Until recently, 9 out of 10 persons who developed the disease known as aneurysm were dead within 5 years; now 7 out of 10 who receive the benefit of new surgical advances are alive and well at the end of 5 years. Until development of the smear test, cancer of the cervix could rarely be diagnosed until too late for successful treatment. Now there is almost 100 percent survival and cure for those who receive early diagnosis and treatment. But tragically, babies still die of congenital defects; patients still die of aneurysms; 14,000 women still die each year of uterine cancer. Of the more than 2 million Americans currently disabled because of stroke, a large majority could be helped through intensive modern rehabilitative care. Many of these people have not been reached by scientific medicine.

As a nation we can look with pride on our health resources, and particularly on the rapid increase in the rate of their development in the past 20 years. But it has not been enough. Thanks in large measure to the Hill-Burton program, more than 7,000 hospitals and other centers for medical service, providing more than 300,000 beds, have been built since World War II. But there are serious bed shortages in many suburban areas; many older hospitals have deteriorated physically; and many beds in general hospitals are being occupied by patients with long-term illness who could be better and more economically served in facilities specially designed to meet their needs. Thanks to the Health Professions Educational Assistance Act, substantial financial assistance can now begin to be brought to bear on the construction of new medical schools and the expansion of existing schools. There is thus the prospect that our physician output can be increased from the present figure of about 7,700 per year to about 9,000 per year by 1975. But this will fall far short of meeting the need arising from population growth.

Faced both with shortages and some maldistribution of our health resources, we are struck with the obvious and overriding need for coordination of effort. H.R. 3140 seeks to aid in achieving precisely this. It is an imaginative response to an immense national challenge. We can well afford this program and the people will enthusiastically support increased expenditures intended to save lives today and produce more lifesaving knowledge for tomorrow.

Mr. BURLESON. Mr. Chairman, this bill proposes to establish a massive Federal arrangement of medical centers to deal with the problems of heart disease, cancer, stroke, and other related diseases.

All of us agree with the stated objective of this proposed legislation. All of us are against heart disease, all of us are against stroke, all of us are against cancer. If I thought that this bill actually would make any headway, however slight, against these serious health problems, I would be the first to support it.

This bill will not prevent heart attacks. It will not prevent strokes. It will not prevent cancer. In fact, it is by no means beyond the realm of possibility that the program proposed in this bill, if adopted, would make it even more difficult for many Americans to get a doctor quickly when they are stricken by a serious ailment.

There are fundamental reasons why this bill is bad legislation, why it should be rejected by the House of Representatives and sent back to the Committee on Interstate and Foreign Committee for more study and evaluation.

I shall confine myself to comment on one aspect of H.R. 3140 which is in itself full and sufficient reason to vote "no" on this proposal.

I refer to the fact that this proposal, if adopted and fully implemented, would sweep a large group of American physicians into these regional centers and leave the rest of the Nation with few doctors.

The creation of regional medical centers will discourage physicians from locating in suburban or rural areas.

The Subcommittee on Manpower of the President's Commission recognized the need for a wide distribution of general practitioners. The enactment of H.R. 3140, in the face of this need, would have the effect of stimulating heavy emphasis toward the medical centers and away from local practice.

The rural areas of this Nation, in which there already is widespread need for the upgrading of medical care, would suffer the most. This legislation, with its heavy emphasis on concentration of the best doctors in these medical centers, would undoubtedly make it even more difficult to persuade young physicians to settle in the small towns and smaller cities across the land.

In fact, the whole program would stimulate the decline of the family doctor. He would become a second-class citizen in the medical world. He would be consulted only for colds and flu, or to lance a carbuncle, or to remove a fishhook. For anything more complicated, his patients would head for the nearest big medical center.

Those concerned with physician placement, with the programs of obtaining physicians to practice in smaller communities, tell me that many communities already have lost their physicians because they called him only in emergencies, going to physicians in large metropolitan areas the remainder of the time.

The doctor does not want to be a second-class citizen in his profession any more than the rest of us. When a young man completing his medical education looks around for a place to begin his practice, do you think he will move to a community in which his practice will be largely the treating of trivial ailments?

Do you think he will be interested in spending long hours stitching up the cuts and salving the bruises of the children in his community, only to have his patients leave him when they become really sick?

The American doctor is a highly trained scientist. He spends many years learning how to do all that medical science can do for victims of heart disease, stroke, cancer, and all of the other ailments that beset mankind. He reads

the professional journals, he attends medical conventions, he confers with his colleagues—all so that he can bring the best possible care to his patients. If the opportunity to apply these years of research and study and learning is restricted or largely denied him, his natural inclination will be to go where the opportunity is broader.

And the sad thing about a situation like this is that the chances are very good that the patient will not be much, if any, better off by going hundreds of miles away to a regional medical center. The men and women in that center would not be able to prevent heart disease, they would not be able to cure a stroke victim, they would not be able to cure most cancers.

If H.R. 3140 should become law, it would be only a few years until most rural areas, many small towns, many suburbs would be almost without any doctors at all. The bright young men would head for the new Federal center, and in some parts of the country these would be far, far away.

We need more doctors in the country and in the small towns, not less. We need to encourage young physicians to practice in the small towns and in the country, not discourage them. We need to keep physicians close to their patients, not send them far away.

Mr. Chairman, I urge that you join with me in voting that H.R. 3140 be returned to the Committee on Interstate and Foreign Commerce in order that sufficient time to study and evaluate this important subject can be made.

Mr. HELSTOSKI. Mr. Chairman, I rise in support of H.R. 3140, legislation to encourage and assist in the establishment of regional centers for research, training, and demonstration of patient care primarily in the fields of heart disease, cancer, and stroke.

My support of this legislation has been previously indicated through the introduction of my bill (H.R. 9536), dealing with this subject.

This is a matter which painfully touches our lives. Nearly 15 million people suffer from heart disease which, together with strokes, is the cause of more than half the deaths in this country each year.

In 1962, deaths from arteriosclerosis, including heart attacks and strokes and hypertension totaled nearly 889,000, or 51 percent of all the deaths reported in that year. Over 215,000 or 24.2 percent of these deaths were in the working group, that is in the 25 to 64 age group. Over 672,000 deaths were in the over 65 years of age group, and only 1,510 deaths occurred in the age groups under 25.

What does this loss in the working age group mean to our national economy? If these 215,000 people who died between the ages of 25 and 64 had been able to live an extra, healthy year, they could have earned over $1 billion in that year alone. The Federal Government could have gained in that 1 year approximately $190 million in income tax revenue on these earnings.

What are the needs in the fight of combating heart disease?

First. More funds for research training, community health services, and education in this field are urgently needed both in the United States and worldwide.

Second. A simple method for early detection and diagnosis of this disease must be found, as well as better methods of treatment cures and methods of prevention.

Third. It is essential that the technical language presently in use in the field of heart disease be simplified and the terminology made uniform and understandable to the lay public.

The No. 2 killer of our people is cancer. There were 277,110 Americans who died of cancer in 1962, or about 1 out of every 6 deaths. It is estimated that 48 million people now alive in this country will eventually have cancer unless preventative measures are found. Unless new treatments and cures are found, one person in every six will die from cancer.

What is the economic loss from cancer? Each year cancer costs the national economy nearly 50,000 man-years of productivity. Cancer also costs American business and industry the loss of valuable executives at the peak of their efficiency and trained workers at the height of their productivity. The dollar loss is inestimable.

Again, if these Americans had been alive and able to work an extra year, they could have earned over $368 million and paid taxes to the Federal Government on this income totaling over $54.5 million.

Each of us has seen or experienced the anguish these diseases cause. The stark fact is that much of this pain is needless. A man's suffering, his family's sorrow, the Nation's loss of talent and productive capacity—all are to a great extent avoidable. In a great measure, we already possess the knowledge to help the victims of these diseases; our failure is in its application.

The report of the President's Commission on Heart Disease and Stroke and Cancer speaks of "our new intolerance," intolerance that a human being die when he need not, or that his life be circumscribed because knowledge and skills that could preserve its fullness are simply not available to him. H.R. 3140 grows out of this intolerance. It proposes that the Federal Government encourage and assist in the establishment of regionally coordinated arrangements among medical schools, research institutions, and hospitals for research and training and demonstration of patient care in these three diseases. I believe that such regional centers will work to close the present gap between research and treatment and so to dramatically reduce disability and loss of life.

We already have considerable experience indicating that the best medical care is provided where research and education are an integral part of medical care. For this reason, the Veterans' Administration affiliated its hospitals with medical schools and involved them with other medical resources in the communities. The National Institutes of Health operate 10 clinical research centers which admits patients who will contribute to a specific study. And there are active programs designed to integrate medical schools with community hospitals and other medical care resources in New England, New York, Michigan, Ohio, and Kansas, to name only a few. From all of these—but especially from the voluntary programs involving medical schools with their communities—we can draw encourgement and valuable experience in the planning and administration of the complex arrangements envisioned in this bill.

We are also greatly aided toward our goal by the quality of the research institutions in this country and their striking contributions to health and longer life. As a result of their efforts, infants born with congenital heart defects can grow to adulthood, cancer of the cervix can be detected early enough for successful treatment, other cancer can be treated by radiation and chemotherapy, and hypertension related to heart disease can be relieved with drugs. These and other techniques discovered through research can be extended to thousands of people through the regional centers proposed; the research efforts, in turn, will gain impetus and be nourished by their close contact with diagnosis and treatment procedures. I expect this will be particularly true of research on strokes, which has been neglected in the past.

One of the difficulties in implementing the provisions proposed by the bill will be the critical shortage of doctors and other health personnel. Roughly 3 to 4 million people are engaged in the health services, but this will not be sufficient for a large-scale attack on heart disease, cancer, and stroke. In fact, success in the attack is predicated on an expansion of all phases of medical manpower.

The shortage of doctors is most critical. The Health Professions Educational Assistance Act, which Congress dealt with in 1963 and 1964 and for which we considered and passed amendments on September 1, is an important beginning to what must become a concerted national effort to recruit and train young people for the medical profession. We must keep this factor in mind as we debate the present bill.

But with this reservation aside, we can accomplish what we set out to do with a system of regional centers: To cultivate communication between research and clinical specialists, to place diagnostic and treatment facilities within reasonable distance of all citizens. The needs of different applicants, predicably, vary greatly. There are a number of medical centers in the country that are in many ways already functioning as regional complexes that we propose. There are other areas, particularly where there are no medical schools, where the initial steps will be difficult and costly—and it is these areas which most need assistance. The $50 million proposed by this bill for 1966 will be directed mainly for planning and development costs; as specific plans are formed, we will get more precise guidelines with which to estimate the extent of our financial commitment in future years. I look forward to following this development with keen interest.

In total, Mr. Chairman, what we propose to do with this bill is, as President Johnson's Commission said, "to develop new patterns of partnership" between public and private resources for health—patterns demanded by accelerating developments in research, medical care, medical education, and public expectations—patterns which I expect to be most fruitful for the health and long life of the people of the United States.

Mr. FOGARTY. Mr. Chairman, last March I introduced in the House a measure (H.R. 5999) designed to benefit the health of the American people. It was intended to provide a solid basis for the great aim of the President's Commission on Heart Disease, Cancer, and Stroke: To match medical research potential with public health achievement by making the advances of medical science more readily available to our people.

At that time I reminded all of you that heart disease, cancer, and stroke together accounted for 7 out of every 10 deaths in the United States each year. I reminded you that this toll could be sharply reduced—if only the medical profession and medical institutions could make available to their patients the latest advances in the diagnosis and treatment of these diseases.

A lot has happened since March to the various proposals—introduced into the Senate by Senator HILL and into the House by myself and the gentleman from Arkansas [Mr. HARRIS]—to implement a program for regional centers to combat these three killer diseases. On June 28 the Senate passed the measure and earlier this month the House Interstate Commerce Committee—after extensive hearings—reported out H.R. 3140, the Heart Disease, Cancer, and Stroke Amendments of 1965. It is this measure that I wish to rise to support today.

It is a tribute to the remarkable understanding and dedication to matters of health by the chairman of the House of Interstate Commerce Committee—that a measure that was at one time considered controversial has now gained such acceptance that it may fairly be said that a consensus has been reached regarding it.

This measure now enjoys the support of such voluntary agencies as the American Heart Association and the American Cancer Society. It also enjoys the support of such respected professional organizations as the American Hospital Association and the Association of American Medical Colleges. It enjoys the support of numerous deans and officers of medical schools.

In addition, it now enjoys the qualified support of the American Medical Association. In a news release from the AMA on September 2 that organization reported that an AMA advisory committee had met with President Johnson to discuss this measure. AMA President James Appel said he was gratified that as a result of these meetings some 20 amendments to the bill were accepted by the administration and that—and I quote:

> Many of the changes are substantial and will allay many of the fears the medical profession had about the original bill.

The AMA president was also quoted as saying:

> We feel that we were successful in getting a number of major changes in the bill which will help preserve the high quality of medical care and the freedom of hospitals and physicians.

Now, the amendment we are considering is a complete substitute for the original bills and incorporates numerous changes intended to define the scope of the program and to guarantee that the legislation will accomplish its stated purpose without in any way interfering with the patterns or the methods of financing of patient care or professional practice or with the administration of hospitals.

I will not embark upon a section-by-section analysis of this bill—into which so much thoughtful compromise has gone. I will instead point out the significant elements of the bill that have emerged from compromises agreeable to both proponents and critics of the original measure.

One of the changes is in the title of the bill. We will hear no more of "regional medical complexes," but rather, of "regional medical programs." This is an important change. It is intended to make it unmistakably clear that it is not intended to amount a new construction program but rather to rely on existing facilities. Thus we emphasize the local nature of this program, its limited scope, and a firm base which includes local hospitals and local medical facilities. The construction authorized under this bill will be alteration, major repair, or renovation of existing buildings or replacement of obsolete built-in equipment. No new construction will be permitted from any funds provided by this bill.

Another change undergone by the regional medical program has been to provide language so that this program will be concerned with heart disease, cancer, stroke, and "related diseases," instead of—as in the original wording—"other diseases." My medical friends assure me that this in no way impairs the intent of this bill, but that the present wording is essential as a practical consideration. They cite heart disease as an example. A program of research, training, and demonstrations relating to heart disease, which did not include work on diabetes—when there is an apparent relationship between diabetes with its complicating arteriosclerosis and heart disease—would be incomplete. This seems eminently sound and above critcism.

A major limiting change made in the original measure was its reduction in size and scope from 5 years to 3 and from what some called an open-end authorization to $340 million authorization.

The emphasis in the bill is now upon pilot projects and feasibility studies—in short, upon planning and exploration of mechanics. Section 903 of this bill authorizes grants to assist in the planning of regional medical programs. It is the intent of the bill's sponsors to take full advantage of the extensive planning and organization that have already been carried out in some areas of this country. Nor is this planning to be a one-time thing. After regional medical programs have been funded and some experience has accumulated, the Surgeon General is required to submit a full report on or before June 30, 1967. In the light of that report this House will consider extension or expansion of the present tentative effort.

Certainly one of the major reasons for the acceptability of the present bill by members of the medical profession is the new and clear-cut emphasis it gives to the participation of community physicians and health organizations. Borrowing from the experience of the great clinical center at the National Institutes of Health, all patients who will be treated under this program must be referred by practicing physicians. Thus, except in the case of patients who are referred by their physicians to a facility to receive care incident to research, training or demonstration, this bill will have no effect on the patterns or the methods of financing of patient care.

Related to this is a significant change in the composition of the National Advisory Council which enlarges physician participation. Of the 12 Council members 1 must be an authority in heart disease; 1 in cancer; 1 in stroke—and at least 2 other members must be physicians. The Surgeon General may not make a grant for any program except upon the recommendation of this Council.

The establishment of a National Advisory Council on regional medical programs is based upon the successful experience of the NIH with this reviewing mechanism for grants—an experience that extends over the past 25 years and more. I am confident that no wiser course of action could have been taken by the committee, chaired by my able colleague, the gentleman from Arkansas [Mr. HARRIS]. I am equally confident that one of the best assurances of the success of this program is to draw upon the excellent record of the NIH in its program administration and to concur in the Senate recommendation in this matter. There is no doubt in anyone's mind but that the NIH shall and will administer this program as ably as it has administered its many other pioneering research and health programs.

The Members of this House are considering today a bill which modifies the administration proposal as the result of constructive criticism by many diverse groups. It is one of the most carefully reworked measures I have encountered in the course of my years in Congress. I believe that this measure is no longer controversial but acceptable to all reasonable men. I urge its passage by this House, today.

Mr. FULTON of Tennessee. Mr. Chairman, in this century, the marvels of scientific research augmented by man's dreams, aspirations and desire for knowledge of the unknown, have led us into worlds heretofore undreamed.

In this century, man has learned the secret of propelled flight, has charted vast parched deserts of the world, mapped the dense jungles and carved cities where less than a century ago only wilderness abounded.

Today men not only go down to the sea in ships, they go beneath the sea

in modern scientific vessels to plot the unknown depths and, through research, seek to unlock their hidden treasures which may well be required to sustain life on land in the decades to come.

Research and discovery are essential for the preservation of man.

In the field of medical research, man's accomplishments over recent decades are truly scientific miracles. In that time we have conquered such killers as tuberculosis, scarlet fever, diphtheria, and that cruel child crippler, polio. The list is even longer and the diseases conquered equally as impressive.

These achievements have not been total, however, nor will they ever be as long as man remains mortal.

But as man seeks spiritual perfection, he will continue to seek remedies for those infirmities which weaken the body. And this is proper. For why should man, created in the image of God, not seek to prolong his productive years, safeguard the security of his family, and contribute to the welfare of his community?

Obviously the individual is powerless to conduct this search in his own behalf. Great knowledge and personal dedication on the part of thousands of highly skilled men and women combined with vast, complex and expensive research centers and facilities are required.

These facilities, large and small, and these dedicated professional persons exist in this country. They stand ready and most ably prepared to launch a concerted attack against the most prolific killers of our time, heart disease, cancer, and strokes.

We are today being asked to join in this battle. The legislation before us would combine the assistance of the Federal Government with facilities of nonprofit private institutions to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals for research and training and for related demonstrations of patient care in the fields of heart disease, cancer, stroke, and related diseases.

This legislation is no bold step forward. It is not a crash program. Nor can it be considered, in any sense, an all-out attack against these maladies. It is, however, a commonsense and rational first step toward the goal of cure and prevention.

This is not an expensive program. We are not asking billions for years to come. The administration's original request for $1.2 billion over 6 years was not unreasonable. Yet this bill asks only $340 million over 3 years. A modest sum by any standard for such important work, and surely the cure and prevention of these diseases is as important to mankind as the first spaceship on the moon or a dozen or more communications satellites for which we are spending thousands of millions of dollars.

This is not to be a Government dominated or controlled program. The House committee has made every effort and spared no counsel in its determination to assure that the program control remains in competent local hands. Indeed, the cornerstone of this program is cooperation, not coordination.

Mr. Chairman, I would be less than candid if I were to say that this bill is as comprehensive as I would wish. It is my feeling that with more funds and a broader program, the efforts directed at the goals which we seek might be accelerated.

Nonetheless, this is a reasonable and worthy first step. The committee has done a commendable job in its efforts to reach a consensus among the bill's supporters and adversaries.

Gentlemen, the hour has come for us now to demonstrate to the Nation that the Congress is as interested in medicine as in missiles, or in life research as in lunar rockets. We have a great opportunity on this occasion to assist in making more secure not only our generation but generations for years to come. Let us not fail them.

Mr. CORMAN. Mr. Chairman, I rise in support of H.R. 3140 as reported by the Committee on Interstate and Foreign Commerce, and urge its adoption. The Heart Disease, Cancer, and Stroke Amendments of 1965 comprise a program which is intended to make the benefits of medical research more widely available to our citizens. The purpose of this legislation is to launch a major assault on our Nation's three greatest killers—heart disease, cancer, and stroke—which today exact such a staggering toll in human life and suffering.

In order to combat heart disease, cancer, and stroke, we have before us a program of grants to foster cooperation among the medical institutions and practitioners in the regions of our Nation. These regional medical programs are to be established locally to best utilize the capabilities and resources of a region in meeting its own needs and goals related to heart disease, cancer, and stroke.

This program will serve a twofold purpose. It will provide for grants for cooperative arrangements among key medical resources, including medical centers, research institutions, hospitals, and other health agencies, for the conduct of research and training, and for demonstrations of patient care in the fields of heart disease, cancer, and stroke. These cooperative arrangements then are to be the means to afford physicians the more abundant opportunity to make available to their patients the latest advances in the diagnosis and treatment of these three major killers and cripplers.

According to testimony received by the committee, the projects to be carried out under these regional medical programs will be quite varied, since the regions of the country are so varied in problems and resources. As you well know, the problems of congested urban areas are very different from those of a sparsely settled rural area, and the means to the solution of those problems must be very different too. This program is founded on the concept of local initiative so vital to our Federal system of government.

The regional medical program can provide for the referral of patients to specialized medical centers, continuing education, and advanced training for physicians, new equipment and interchange of medical personnel among institutions, all of which are recognized needs in the modern age of medicine. These are all vital factors in the application of research discoveries to the care of sick patients which can be made possible throughout the country by the enactment of this legislation.

Under this plan we hope to see to it that the best diagnosis and treatment is available to all of our citizens. Millions of tax dollars have gone to support medical reserach over the years, and these dollars have produced fantastic new advances in the diagnosis, treatment, and prevention of disease.

We are now riding the crest of a scientific and technological revolution that has recorded an amazing list of achievements. Biomedical research has all but erased yesterday's dread diseases and has harnessed the crippling infections of childhood, thereby prolonging and shaping the very character of our lives. It is time this wealth was shared by all of our people.

We look forward to these new training opportunities for the medical profession, to the new and more intensive research into the mysteries of disease, but most of all we look forward to the brighter future the provisions of this bill will provide to victims and potential victims of heart disease, cancer, and stroke.

Mr. Chairman, I urge passage of this legislation as amended by the Committee on Interstate and Foreign Commerce.

Mr. VAN DEERLIN. Mr. Chairman, as we come to final consideration of H.R. 3140, I hope that the American people will understand and appreciate the full significance of the important legislation embodied in this measure.

The United States has become the outstanding Nation of the world in the advancement of medical science, and in the abundance and quality of medical services available to our people. The Public Health Service, one of the oldest agencies of the Federal establishment, has made a distinguished record in the control of disease, particularly in cooperation with the State health departments. Since the mid-1930's we have seen the development, with the willing support of Congress, of the National Institutes of Health as the greatest medical research organization in the world today.

We have reached a stage, however, where something must be done to see that the benefits of this huge medical research effort are made available as quickly and as thoroughly as possible to the people in every part of this land. We are all familiar, I am sure, with the great medical centers in our metropolitan areas and larger cities. These hospitals, with their fine staffs of well-trained and experienced doctors and nurses, are making the finest and most advanced equipment, facilities, and medical care available to those within their reach. But there are many parts of the country which do not have these fine, modern establishments. They have good hospitals and good doctors, but their facilities are limited and they cannot operate with the degree of sophistication that has been developed in the larger institutions.

The bill that we are about to act upon can correct this imbalance by making

possible the establishment of regional cooperative arrangements, to use the language of the bill, "among medical schools, research institutions, and hospitals for research and training, and for related demonstrations of patient care in the fields of heart disease, cancer, stroke, and related diseases."

It has been pointed out, Mr. Chairman, that this language—altering substantially the original wording of the bill—was inserted with fullest participation and approval of legal counsel for the American Medical Association.

In a meeting last weekend with top officers of the county medical society in my home community of San Diego, Calif., I ascertained that many previously held objections to the bill have now been met. It would be incorrect to say that these physicians are yet enthusiastic for it—but they feel that our committee has come more than halfway toward the resolution of conflicting viewpoints.

One remaining doubt, I was advised, concerns the direct pipeline that will exist between participants in the regional programs and officials at the National Institutes of Health, here in Washington. It is felt that without fuller contacts between and among adjoining areas, there is danger that overlapping functions could result in a waste of both time and money.

I have taken up this question with officials at HEW. They lead me to hope that section 907 of the bill, providing a system of disseminating information by the Surgeon General, may offset the fears voiced by my constituent doctors. It seems to me this is a phase of the upcoming operation that we should watch very closely.

I want to emphasize that what this bill stands for is the welfare of every citizen irrespective of his age, his race, his religion, his geographical location, or his politics. This is not a measure designed to benefit any selected group or any particular State or district. Heart disease is blind to a person's color or national origin. Cancer strikes the young, the middle-aged and the old, wherever they may be. Stroke, resulting in paralysis or death, can occur not only in the elderly, but in young mothers and young wage-earning fathers as well.

In a democracy such as ours we govern ourselves through political procedures which involve the most intensive party rivalry. Only so long as this rivalry exists and is encouraged will our society remain secure and our freedom assured. We want no dictatorship or one-party rule in the United States. Yet, as firmly established as this system is in spirit and in practice, there are two situations in which it gives way under the pressure of overriding concern: one, an external threat to national security; the other, the health and welfare of our people.

Yes, there are times to forget politics, and one of those times is now, when we are considering a measure so important to the fulfillment of our responsibility to see that every American shall have the benefits of what is being accomplished, with Federal support, toward the advancement of medical science and the improvement of medical practice and patient care.

Again, to quote the bill before us, its purposes include these:

> To afford to the medical profession and the medical institutions of the Nation, through such cooperative arrangements, the opportunity of making available to their patients the latest advances in the diagnosis and treatment of these diseases.
>
> By these means, to improve generally the health manpower and facilities available to the Nation, and to accomplish these ends without interfering with the patterns, or the methods of financing, of patient care or professional practice, or with the administration of hospitals, and in cooperation with practicing physicians, medical center officials, hospital administrators, and representatives from appropriate voluntary health agencies.

This is a splendid charge and a great challenge. Mr. Chairman, I wish to second the proposals enumerated in H.R. 3140 as amended and reported by the Committee on Interstate and Foreign Commerce, and I urge upon my distinguished colleagues of the House their approval of it.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge this House to speedily and overwhelmingly approve this measure now before us, H.R. 3140, the Heart Disease, Cancer, and Stroke Amendments of 1965.

In connection with our consideration of this vitally important bill I think it is very pertinent to note that the President's Commission on Heart Disease, Cancer, and Stroke pointed out in their report, of December 1964, that over 70 percent of all deaths occurring in the United States each year result from these three dread diseases. It was further emphasized in that report that the effect upon our economy, due to premature disability and death caused by these three diseases, is close to $30 billion in losses each year.

The authoritative statistics clearly reveal these three diseases are the major cripplers and killers within our society. Beyond and above their adverse economic impact they cause untold and immeasurable human hardship, anguish, and suffering.

However, the history of medical science definitely indicates that they, like other dreaded diseases in the past, can be subjected to control and cure by organized scientific attack; that is the basic reason for this bill.

The principal purpose of the measure is to provide for the establishment of programs of cooperation between medical schools, clinical research institutions, and hospitals by means of which the latest advances in the care of patients suffering from heart disease, stroke, cancer, and related diseases may be afforded through locally administered programs of research, training, and continuing education and related demonstrations of patient care.

I think it is of major interest and moment to us, and the committee chairman and members surely merit our admiration and gratitude on this point, to note that the committee has included provisions in the bill designed to guarantee that it will accomplish its purposes without unwarranted and unwise interference with the patterns, or the methods of financing, of patient care or professional medical practice or with the administration of hospitals.

Mr. Chairman, I submit that the objectives of this bill are undoubtedly in the best interests of the American people; the manner provided for the realization of these objectives is prudent; the appropriations involved are, indeed, quite reasonable, and in view of the increasingly adverse effect these particular diseases is having on our society the legislation is most timely. Therefore, I again urge my colleagues to overwhelmingly approve this measure without further delay.

Mr. KASTENMEIER. Mr. Chairman, even though I am in support of the bill H.R. 3140 to assist in combating heart disease, cancer, stroke, and related diseases, I am concerned about one aspect of it. What a number of people fear, including myself, is that the increased tendency to categorize medicine along the lines of particular diseases will be destructive of efforts in many cases to provide a broad medical education. Whereas we still expect to train and educate young doctors to fight diseases and illness of many types, the creation of institutes of specialization will surely inhibit and curtail this type of education. Nowhere have I seen a critical, yet understanding, view of this better expressed than in the following paragraph from a letter from a member of the University of Wisconsin Medical School faculty:

> As a member of a medical school faculty, I am intensely aware of the impact of mental retardation programs and categorical programs for heart disease, cancer and stroke on medical education and practice. These programs always cause me to pause and consider the implications for medical education in the United States and the development of our medical educational system. Categorical programs tend to isolate and specialize medicine. It is unrealistic to think that the passage of these various bills will not affect medicine through increased specialization, and make it increasingly difficult to produce broad programs. For example, these programs at the University of Wisconsin could create a situation whereby the medical school would be composed largely of institutes. Even though this would further medical research in categorical disease areas, it would work to the detriment of educational effort. The pediatrician must necessarily have knowledge about many areas. He cannot simply be a cardiologist, a neurologist, or a mental retardation expert. In order to see these categorical problems in their proper setting, he must also see children with other disease processes and understand the broad problems of child development, growth and disease. Thus, categorical programs threaten us some, but this threat is not insurmountable if we can turn it into a unifying and strengthening force rather than a divisive force for our various disciplines. For example, to have categorical disease research and care and teaching institutes widely separated over the University of Wisconsin would be lethal to the concept of medical education. To have them all participate as a unifying measure in one physical setting would be less divisive and would actually be an aid to our future growth and development. Therefore, it is really our problem to put these programs to good use in the future, if any of the money should come

our way, but I think that our Representatives in Congress should be aware of this aspect of the problem. Whereas most of us in academic medicine are for welfare legislation, we are concerned about the impact this will have on medical education.

It is perhaps somewhat reassuring that the bill has been changed in committee from including "other major diseases" to "and related diseases"—related referring to heart diseases, cancer, and stroke. This would at least prevent overspecialization in too many other areas than those specifically mentioned. Yet, Mr. Chairman, I think it is well that we be aware of the effect on medical education that wholly well-meaning congressional action can entail with respect to the type of medical education which I am sure we all agree we would like to preserve and maintain throughout this great country.

Mr. PHILBIN. Mr. Chairman, passing a bill to assist in combating heart disease, cancer, and stroke and other major diseases is, in my opinion, of highest priority, and I congratulate and compliment the Committee for bringing it to the floor of the House.

The principal purpose of the bill is to provide for the establishment of programs of cooperation between medical schools, research institutions, and hospitals for research and training for the care of patients suffering from heart disease, cancer, stroke and related diseases.

This fine bill does not compete with other bills passed in the area of research and development which are numerous and which are doing tremendously valuable work in trying to unlock the secrets of cure and rehabilitation of the so-called killer diseases that are steadily demanding the lives of larger numbers of our fellow citizens. Most regrettably, the death rates for these diseases seem to be rising despite the vigorous attack which we are making upon them at so many levels of government, science, education and medicine, nuclear surgery and nuclear therapy.

There is little danger, in my understanding, that this bill would interfere in any way with the freedom of our great medical profession, or our hospital system, or related institutions since it entails cooperative arrangements for local participation of existing institutions and medical practitioners.

Basically, through the program provided by this bill, the results, fruits, and benefits of our great research and development programs can be channeled through medical and hospital facilities and institutions to local practitioners and ultimately to suffering patients who in many cases can be assisted and cured, it is our hope.

Programs of this kind have been conducted for more than 50 years, not only in my own great State of Massachusetts, but in Iowa and other places throughout the country and the experience with them has been excellent. They have proved valuable in acquainting the medical profession with latest modern up-to-date techniques, therapies, and methods and thus, in a sense, have constituted not only reeducation, but constant updating of everything that is new and functionally desirable in modern medicine and scientific advancement.

The board which studied the subject matter of this bill was comprised of some of the outstanding doctors, administrators, and public figures of the Nation, and the committee has done an outstanding piece of work in the elimination of practically all objections to the bill.

I have great confidence that this bill will work out well, and it has been very carefully considered by the committee and has received the attention of all the leading experts and authors in the field, and I believe that it will be extremely helpful in strengthening our determined fight against all the killer diseases that are taking such a sorrowful toll of our people.

Some people think that the Government is already spending enough money in the area of controlling and eliminating these killer diseases, but I am of the opinion that we should spare no expense, no determined effort to aid humanity and strengthen our country by doing everything we can to eradicate or bring every possible measure of control over, the terrible diseases that are blighting humanity and causing untold suffering and misery to many fine people and their dear ones. Many of our families have known grievous loss we can never forget.

But this is not a sentimental matter, Mr. Chairman; it is a great human matter and a question of putting our every effort and energy behind measures eliminating the killer diseases, all related diseases, and every disease and malady to which the human flesh is heir that the Members of this great body possibly can effect.

I strongly favor this bill and urge its adoption by the House. We should have crash programs to fight killer disease. Let us move to that end with all possible speed without regard to the cost.

Mr. GILBERT. Mr. Chairman, in his health message to Congress last January, President Johnson asked for legislation authorizing a program of grants to develop multipurpose regional medical programs for an all-out attack on cancer, stroke, and heart diseases, the three dreaded diseases which cause over 70 percent of the deaths in our country each year. The President had appointed a Commission on Heart Disease, Cancer, and Stroke early in 1964, and in its report the Commission recommended steps to reduce the incidence of these diseases through new knowledge and more complete utilization of the medical knowledge we have already.

I am pleased that the President's request and recommendations of the Commission are incorporated in H.R. 3140. I commend the chairman and members of the House Interstate and Foreign Commerce Committee for the thorough and careful attention they gave to preparing this legislation.

Mr. Chairman, we are fortunate to have the best medical care in the world in our country. Unfortunately, however, our most modern techniques and our best medical care are not available to all who need them. The program provided in this bill will bring the latest in medical advances in the prevention, treatment, and cure to all who are afflicted with cancer, stroke, and heart diseases.

Congress can well be proud of its record in improving the health and welfare of our citizens. In the past few years we have passed the Health Professions Educational Assistance Act, the Community Health Services Act, programs of assistance for our mentally ill and retarded, extended vocational rehabilitation, and provided many other programs for Federal participation in medical research and health facilities. And, of course, just recently we enacted a program of medical care for our aged.

While we can look with pride on our achievements and our present health resources and medical advancement, the battle is far from won. Thousands of hospitals have been built since World War II; there are bed shortages and doctor shortages. We are faced with a maldistribution of our health resources, and we must expand and develop new approaches and provide the continuity that is essential for an effective medical-education program.

H.R. 3140 will provide for the establishment of locally administered programs of cooperation between medical schools, clinical research institutions and hospitals. It will advance research, train more personnel, and make the latest techniques and advances available to all suffering from these three diseases which bring premature death to so many annually.

Grants will be available to public or nonprofit private institutions or agencies for planning, establishing, and operating regional medical programs. The regional medical programs will be cooperative arrangements and they will link existing medical schools and affiliated teaching hospitals with their highly developed capabilities in diagnosis training, and treatment with existing clinical research centers, local community hospitals, and practicing physicians within the same geographical area. Cooperative arrangements will permit an interchange of personnel and patients and will provide for more effective flow of information concerning the latest advances in diagnosis and treatment. Local control of all programs is insured in the bill. A 12-member National Advisory Council on Regional Medical Programs will consider applications and make recommendations before an application to establish and operate a regional medical program may be approved.

Mr. Chairman, I strongly support H.R. 3140 to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the substitute amendment as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 3140

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Heart Disease, Cancer, and Stroke Amendments of 1965".

SEC. 2. The Public Health Service Act (42 U.S.C. ch. 6A) is amended by adding at the end thereof the following new title:

"TITLE IX—EDUCATION, RESEARCH, TRAINING, AND DEMONSTRATIONS IN THE FIELDS OF HEART DISEASE, CANCER, STROKE, AND RELATED DISEASES

"Purposes

"SEC. 900. The purposes of this title are—

"(a) Through grants, to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals for research and training (including continuing education) and for related demonstrations of patient care in the fields of heart disease, cancer, stroke, and related diseases;

"(b) To afford to the medical profession and the medical institutions of the Nation, through such cooperative arrangements, the opportunity of making available to their patients the latest advances in the diagnosis and treatment of these diseases; and

"(c) By these means, to improve generally the health manpower and facilities available to the Nation, and to accomplish these ends without interfering with the patterns, or the methods of financing, of patient care or professional practice, or with the administration of hospitals, and in cooperation with practicing physicians, medical center officials, hospital administrators, and represenatives from appropriate voluntary health agencies.

"Authorization of appropriations

"SEC. 901. (a) There are authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1966, $90,000,000 for the fiscal year ending June 30, 1967, and $200,000,000 for the fiscal year ending June 30, 1968, for grants to assist public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private institutions and agencies in planning, in conducting feasibility studies, and in operating pilot projects for the establishment, of regional medical programs of research, training, and demonstration activities for carrying out the purposes of this title. Sums appropriated under this section for any fiscal year shall remain available for making such grants until the end of the fiscal year following the fiscal year for which the appropriation is made.

"(b) A grant under this title shall be for part or all of the cost of the planning or other activities with respect to which the application is made, except that any such grant with respect to construction of, or provision of built-in (as determined in accordance with regulations) equipment for, any facility may not exceed 90 per centum of the cost of such construction or equipment.

"(c) Funds appropriated pursuant to this title shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent it is, as determined in accordance with regulations, incident to those research, training, or demonstration activities which are encompassed by the purposes of this title. No patient shall be furnished hospital, medical, or other care at any facility incident to research, training, or demonstration activities carried out with funds appropriated pursuant to this title, unless he has been referred to such facility by a practicing physician.

"Definitions

"SEC. 902. For the purposes of this title—

"(a) The term 'regional medical program' means a cooperative arrangement among a group of public or nonprofit private institutions or agencies engaged in research training, diagnosis, and treatment relating to heart disease, cancer, or stroke, and, at the option of the applicant, related disease or diseases; but only if such group—

"(1) is situated within a geographic area, composed of any part or parts of any one or more States, which the Surgeon General determines, in accordance with regulations, to be appropriate for carrying out the purposes of this title;

"(2) consists of one or more medical centers, one or more clinical research centers, and one or more hospitals; and

"(3) has in effect cooperative arrangements among its component units which the Surgeon General finds will be adequate for effectively carrying out the purposes of this title.

"(b) The term 'medical center' means a medical school and one or more hospitals affiliated therewith for teaching, research, and demonstration purposes.

"(c) The term 'clinical research center' means an institution (or part of an institution) the primary function of which is research, training of specialists, and demonstrations and which, in connection therewith, provides specialized, high-quality diagnostic and treatment services for inpatients and outpatients.

"(d) The term 'hospital' means a hospital as defined in section 625(c) or other health facility in which local capability for diagnosis and treatment is supported and augmented by the program established under this title.

"(e) The term 'nonprofit' as applied to any institution or agency means an institution or agency which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"(f) The term 'construction' includes alteration, major repair (to the extent permitted by regulations), remodeling and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete, built-in (as determined in accordance with regulations) equipment of existing buildings.

"Grants for planning

"SEC. 903. (a) The Surgeon General, upon the recommendation of the National Advisory Council or Regional Medical Programs established by section 905 (hereafter in this title referred to as the 'Council'), is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private agencies and institutions to assist them in planning the development of regional medical programs.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by—

"(1) reasonable assurances that Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

"(2) reasonable assurances that the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(3) reasonable assurances that the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

"(4) a satisfactory showing that the applicant has designated an advisory group, to advise the applicant (and the institutions and agencies participating in the resulting regional medical program) in formulating and carrying out the plan for the establishment and operation of such regional medical program, which advisory group includes practicing physicians, medical center officials, hospital administrators, representatives from appropriate medical societies, voluntary health agencies, and representatives of other organizations, institutions, and agencies concerned with activities of the kind to be carried on under the program and members of the public familiar with the need for the services provided under the program.

"Grants for establishment and operation of regional medical programs

"SEC. 904. (a) The Surgeon General, upon the recommendation of the Council, is authorized to make grants to public or nonprofit private universities, medical schools, research institutions, and other public or nonprofit private agencies and institutions to assist in establishment and operation of regional medical programs, including construction and equipment of facilities in connection therewith.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it is recommended by the advisory group described in section 903(b)(4) and contains or is supported by reasonable assurances that—

"(1) Federal funds paid pursuant to any such grant (A) will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder, and (B) will not supplant funds that are otherwise available for establishment or operation of the regional medical program with respect to which the grant is made;

"(2) the applicant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(3) the applicant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

"(4) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5; and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"National Advisory Council on Regional Medical Programs

"SEC. 905. (a) The Surgeon General, with the approval of the Secretary, may appoint, without regard to the civil service laws, a National Advisory Council on Regional Medical Programs. The Council shall consist of the Surgeon General, who shall be the chairman, and twelve members, not otherwise in the regular full-time employ of the United States, who are leaders in the fields of the fundamental sciences, the medical sciences, or public affairs. At least two of the appointed members shall be practicing physicians, one shall be outstanding in the study, diagnosis, or treatment of heart disease, one shall be outstanding in the study, diagnosis, or treatment of cancer, and one shall be outstanding in the study, diagnosis, or treatment of stroke.

"(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a

vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

"(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(d) The Council shall advise and assist the Surgeon General in the preparation of regulations for, and as to policy matters arising with respect to, the administration of this title. The Council shall consider all applications for grants under this title and shall make recommendations to the Surgeon General with respect to approval of applications for and the amounts of grants under this title.

"Regulations

"SEC. 906. The Surgeon General, after consultation with the Council, shall prescribe general regulations covering the terms and conditions for approving applications for grants under this title and the coordination of programs assisted under this title with programs for training, research, and demonstrations relating to the same diseases assisted or authorized under other titles of this Act or other Acts of Congress.

"Information on special treatment and training centers

"SEC. 907. The Surgeon General shall establish, and maintain on a current basis, a list or lists of facilities in the United States equipped and staffed to provide the most advanced specialty training in such facilities, diagnosis and treatment of heart disease, cancer, or stroke, together with such related information, including the availability of advanced speciality training in such facilities, as he deems useful, and shall make such list or lists and related information readily available to licensed practitioners and other persons requiring such information. To the end of making such list or lists and other information most useful, the Surgeon General shall from time to time consult with interested national professional organizations.

"Report

"SEC. 908. On or before June 30, 1967, the Surgeon General, after consultation with the Council, shall submit to the Secretary for transmission to the President and then to the Congress, a report of the activities under this title together with (1) a statement of the relationship between Federal financing and financing from other sources of the activities undertaken pursuant to this title, (2) an appraisal of the activities assisted under this title in the light of their effectiveness in carrying out the purposes of this title, and (3) recommendations with respect to extension or modification of this title in the light thereof."

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: Page 23, line 6, strike out the quotation marks, and immediately after line 6 insert the following:

"Records and audit

"SEC. 909. (a) Each recipient of a grant under this title shall keep such records as the Surgeon General may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any grant under this title which are pertinent to any such grant."

The CHAIRMAN. The gentleman from Iowa [Mr. GROSS] is recognized in support of his amendment.

Mr. GROSS. Mr. Chairman, I would hope that the distinguished chairman of the committee would accept this amendment which is basically section 11 of Public Law 88–206 which is to follow as the next order of business this afternoon. This would give to the Comptroller General authority to audit the books and records of this program. The money to be expended in this program will be widely distributed over the country and I certainly think it is very much in order to give the Comptroller General full power to scrutinize what is being done. Again, Mr. Chairman, I urge the gentleman from Arkansas to accept the amendment.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. HARRIS. First, let me thank the gentleman for providing me in advance with a copy of the amendment he has just proposed. I have had an opportunity to look it over and I observe that it is identical to section 11 of the Clean Air Act which was approved by our committee and adopted by the House and the Congress, and is a part of the present law. I believe a similar amendment is included in some of the other public health acts. I do know that only a few days ago the committee included a similar amendment to the Library Act that we have reported out.

Mr. GROSS. As well as the national parks and concessionaires bill.

Mr. HARRIS. Yes, that is true, and on various other legislative proposals. I compliment the gentleman for offering the amendment.

As I indicated earlier, the distinguished gentleman from California [Mr. Moss], a member of the committee, usually sees to it that these proposals are included. I am not in a position to speak for other members of the committee except that I have had occasion to talk briefly to some members here at the table, but personally I am prepared to accept the amendment and I shall be glad on my own account to accept the gentleman's amendment. I think it is a good amendment.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. Does the gentleman accept the amendment?

Mr. HARRIS. As I say, Mr. Chairman, on my own I accept the gentleman's amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

AMENDMENT OFFERED BY MR. WHITE OF TEXAS

Mr. WHITE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Texas: On page 15, line 11, after "medical school" insert the following: "or other medical institution involved in postgraduate medical training".

Mr. WHITE of Texas. Mr. Chairman, the amendment I am proposing is the same as that adopted by the Senate committee. Its purpose is to make possible the establishment of a regional medical complex in an area where no medical-school is located, provided there is some other medical institution involved in postgraduate medical training.

I believe my home city of El Paso, Tex., is an excellent example of such a location. It is the largest city in a radius of more than 400 miles. Together with its sister city of Juarez, Mexico, it forms a metropolitan community with a population of more than 600,000. While it has no medical school, it is the site of a major U.S. Army Hospital which also serves for treatment of veterans, of the only school of nursing within a 300-mile radius, and of a medical community consisting of outstanding doctors and hospital facilities. Because of its border location, El Paso has special opportunities for research and for cooperation with outstanding medical advances in the Republic of Mexico. With proper organization and preparation, El Paso could meet every criterion mentioned in this bill, except for the presence of a medical school.

I believe the same situation exists in many other important metropolitan areas. Dr. Murray M. Copeland in his statement to the Senate Committee on Labor and Public Welfare said:

> We believe the committee should recognize that specialized institutions, referred to in this bill as Categorical Research Centers, now in existence, are performing much of the program which is envisioned in this bill, and in the cancer field have been the source of much of the strength of the present progress against cancer. We recommend, therefore, in the language of the bill it be made clear that they can furnish essential planning and administrative leadership in regional complexes, and that they are furnishing and should continue to furnish, the type of teaching and training of manpower which is particularly necessary for the successful functioning of the proposed complexes.

And note especially these words of Dr. Copeland:

> There do exist areas in which such manpower can best be planned for through teaching institutions not directly affiliated with medical schools.

The Senate saw fit to amend its bill in keeping with the suggestion of Dr. Copeland. I respectfully ask that the House broaden the results of the proposed health program by adopting this amendment.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Texas. I yield.

Mr. HARRIS. The gentleman will observe that on page 15 of the committee bill, in section 902(b), the definition of a medical center is a "medical school and one or more hospitals affiliated therewith for teaching, research, and demonstration purposes."

The gentleman's amendment would add the words "or other medical institution involved in post graduate medical training." That is the precise language that is included in the Senate-passed bill.

Mr. WHITE of Texas. That is correct.

Mr. HARRIS. As I analyze the language, in my judgment, the amendment would be complementary to the terms included in the definition of "other institutions affiliated therewith," though we do use the term "hospitals affiliated therewith for teaching," and so forth. I can see no conflict and, so far as I am personally concerned, having discussed it briefly with other Members who are here, I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Texas [Mr. WHITE].

The amendment to the committee amendment was agreed to.

(By unanimous consent, Mr. ALBERT was granted permission to address the House for 5 minutes and to speak out of order.)

JOINT STATEMENT BY PRESIDENT OF THE UNITED STATES AND PRESIDENT OF PANAMA ON AREAS OF AGREEMENT REACHED IN CURRENT TREATY NEGOTIATIONS

Mr. ALBERT. Mr. Chairman, I take this time only to advise the House that President Johnson and President Robles, of Panama, have just issued a joint announcement in which they outlined areas of agreement that have been reached in the current treaty negotiations concerning the Panama Canal. Once again the United States has proclaimed to the world that we intend to abide by our commitments with full respect for the rights of others. The commitment I refer to is the bold yet prudent statement delivered by President Johnson on December 18, 1964, in which he proposed that the United States should press forward with Panama and other interested governments in plans and preparations for a sea level canal in this area and that the United States should negotiate with Panama an entirely new treaty to govern the operation of the existing Panama Canal during the remainder of its life.

In my judgment, these bold proposals recognized the forward thinking of our country without in any way belittling the magnificent achievement of those Americans who built the Panama Canal and those who have taken part so efficiently in the operation of the canal as a service to world commerce for the past half century.

The joint statement just issued indicated that the United States and Panama have reached a significant phase in what is manifestly an orderly negotiating process in this very complex matter. It is clear that both countries are making every effort to understand and meet the needs of both the present and the future with full recognition of the rights as well as the responsibilities of each country.

With the abrogation of the 1903 treaty and the recognition of Panama's sovereignty over the area of the present Canal Zone, the United States has shown its complete awareness of the "winds of change" prevailing throughout the world. At the same time, participation by both countries in the administration of the canal demonstrates graphically the mutual sense of responsibility and cooperation prevalent in the negotiations.

We are delighted to note the genuine concern of both countries for the welfare of the present employees of the canal organization and to see the affirmation that arrangements will be made to insure that their rights and interests are safeguarded.

I strongly endorse this joint statement as eloquent proof of the friendship and good will existing between our two countries and I am confident that the negotiations will proceed in this same harmonious atmosphere to the mutual benefit of Panama, the United States, and world commerce.

The joint statement follows:

JOINT STATEMENT OF THE PRESIDENT OF THE UNITED STATES OF AMERICA AND THE PRESIDENT OF THE REPUBLIC OF PANAMA, SEPTEMBER 24, 1965

The President of the United States of America and the President of the Republic of Panama announced today that areas of agreement have been reached in the current treaty negotiations along the following lines:

In order to meet their present and future needs the two countries are negotiating separately a new and modern treaty to replace the 1903 treaty and its amendments, a base rights and status of forces agreement and a treaty under which there might be constructed across Panama a new sea level canal.

The two countries recognize that the primary interest of both countries lies in insuring that arrangements are provided for effective operation and defense of the existing Panama Canal and any new canal which may be constructed in Panama in the future.

With respect to the status of the negotiations on a new treaty to replace the 1903 treaty and its amendments, general areas of agreement have been reached. The details of these areas of agreements are the subject of current negotiations.

The purpose is to insure that Panama will share with the United States responsibility in the administration, management, and operation of the canal as may be provided in the treaty. Panama will also share with the United States in the direct and indirect benefits from the existence of the canal on its territory.

The areas of agreement reached are the following:

1. The 1903 treaty will be abrogated.

2. The new treaty will effectively recognize Panama's sovereignty over the area of the present Canal Zone.

3. The new treaty will terminate after a specified number of years or on the date of the opening of the sea level canal whichever occurs first.

4. A primary objective of the new treaty will be to provide for an appropriate political, economic, and social integration of the area used in the canal operation with the rest of the Republic of Panama. Both countries recognize there is need for an orderly transition to avoid abrupt and possibly harmful dislocations. We also recognize that certain changes should be made over a period of time. The new canal administration will be empowered to make such changes in accordance with guidelines in the new treaty.

5. Both countries recognize the important responsibility they have to be fair and helpful to the employees of all nationalities who are serving so efficiently and well in the operation of the canal. Appropriate arrangements will be made to insure that the rights and interests of these employees are safeguarded.

The new treaties will provide for the defense of the existing canal and any sea level canal which may be constructed in Panama. U.S. forces and military facilities will be maintained under a base rights and status of forces agreement.

With respect to the sea level canal, the United States will make studies and site surveys of possible routes in Panama. Negotiations are continuing with respect to the methods and conditions of financing, constructing, and operating a sea level canal, in the light of the importance of such a canal to the Republic of Panama, to the United States of America, to world commerce and to the progress of mankind.

The United States and Panama will seek the necessary solutions to the economic problems which would be caused by the construction of a sea level canal.

The present canal and any new canal which may be constructed in the future shall be open at all times to the vessels of all nations on a nondiscriminatory basis. The tolls would be reasonable in the light of the contribution of the Republic of Panama and the United States of America and of the interest of world commerce.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"SECTION 1. Titles I to IX, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title IX (as in effect prior to the enactment of this Act) as title X, and by renumbering sections 901 through 914 (as in effect prior to the enactment of this Act), and references thereto, as sections 1001 through 1014, respectively.

Mr. KEE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KEE. Mr. Chairman, it is a real privilege today to have this opportunity to enthusiastically support H.R. 3140, a bill to amend the Public Health Service Act to assist in combating heart disase, cancer, stroke, and other major diseases.

In this connection, for more than two decades, the Federal Government has made generous contributions to the twin purposes of public health and medical research with gratifying results. In this sense, the program before the House for consideration today, is an enlargement and development of the programs now in effect.

Perhaps the most striking feature of this proposed enlarged program is that a massive campaign will be waged against the three great killers of mod-

ern times—cancer, heart disease, and stroke. These three enemies of the human race will cause 7 out of every 10 deaths in the United States in 1965. These three killers are the successors to the old plague diseases which took heavy toll in former centuries, but which have been very nearly extinguished by the advance of modern science. But while poliomyelitis, smallpox, yellow fever, and malaria had been common in the past, medical experts estimate that 48 million citizens—that is approximately one-fourth of our present population now living—will become cancer victims during their lifetime. The elimination of this killer, through the joint efforts of the medical profession and the Government, could be the greatest boon ever conferred upon the American people. This health plan would establish regional health centers to make available the latest means of combating heart disease, stroke, and cancer. These regional centers are not designed to work independently but are designed to assist medical schools and to assist teaching hospitals and local medical centers in doing the job that must be done.

Another important feature of this extremely essential proposed legislation is the provision designed to help the medical profession meet the growing needs of trained personnel. Ten years, hence, the Nation will need 50,000 more doctors than today. Already there is an acute shortage of dentists and 10 years hence the country will need 100 percent more dentists than we have today. Obviously, privately owned and operated medical and dental schools cannot bear the great expense needed for this expansion.

Mr. Chairman, no man can deny the fact that the future of our Nation—the future in our children—will be dependent upon the expanded joint efforts proposed in H.R. 3140 in order to provide the best possible care for the three great killers of modern times. By approving this measure today, we will take a tremendous step forward in providing more effective measures that will insure a healthy America of tomorrow.

Therefore, Mr. Chairman, from the bottom of my heart, I believe that Chairman HARRIS and the members of the Committee on Interstate and Foreign Commerce of the U.S. House of Representatives are to be highly commended for the effective program presented today.

In conclusion, Mr. Chairman, it is my deep hope that the Members of the House will unanimously approve H.R. 3140 and, by such action, each of us will leave the Chamber today with the conviction in our hearts that we have made a substantial contribution that will benefit not only the younger generations of America, but those yet to come.

The CHAIRMAN. The question is on the committee amendment as a substitute for the bill.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3140) to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and other major diseases, pursuant to House Resolution 586, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases."

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 586, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill S. 596.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. HARRIS

Mr. HARRIS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. HARRIS: Strike out all after the enacting clause of S. 596 and insert in lieu thereof the provisions of H.R. 3140 as passed.

The motion was agreed to.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases."

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at the appropriate place on H.R. 3140 and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CLEAN AIR AND SOLID WASTE DISPOSAL ACT

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 306) to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 306, with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. HARRIS] will be recognized for 1 hour and the gentleman from Nebraska [Mr. CUNNINGHAM] will be recognized for 1 hour.

The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, this is a bill that is highly important to the health of the Nation. We have just finished, after considerable debate, a bill highly important to the future health of our people. This bill does not appear to be the type of bill that offers the same sentimental attraction, but there is nothing more important to the health of our people than having wholesome, clean air to breathe. That is what this bill is designed to do. It proposes to meet, as far as possible, the problem of pollution of the air in a way that will not interfere with our economy or with our industry, but will continue to serve the needs of the people of our Nation. It does, however, seek to meet what we are going to have to come to a decision on.

We have observed over the years that the problem of air pollution is growing each year.

It will be remembered that in the 88th Congress our committee reported and the Congress passed a bill to improve, strengthen, and accelerate programs for the prevention and abatement of air pollution. That was a very important program. It was something new, something visionary.

It presented a step toward meeting the problems that are absolutely a must insofar as the future of our people are concerned. We tried to meet certain of these problems that we knew existed insofar as air pollution is concerned and attempted, in a limited way, to provide for the abatement of this problem.

Now, Mr. Chairman, we have today a bill which deals primarily with two public health problems.

First, air pollution resulting from emissions from automobiles. Now, Mr. Chairman, this is very important I suppose to every family or almost every family in the United States.

Then, second, the problems involved in the disposal of solid waste. Our committee was unanimous in reporting title I of this bill which deals with automotive air pollution.

However, I frankly admit, Mr. Chairman, that there was a great deal of controversy in the committee, and probably will be here in the Committee of the Whole House on the State of the Union today, over title II of the bill dealing with solid waste disposal.

Mr. Chairman, title I of this bill deals with air pollution resulting from the operation of motor vehicles and provides authority for the Secretary of the Department of Health, Education, and Welfare to establish standards for emission from new gasoline-powered and new diesel-powered motor vehicles. These standards, Mr. Chairman, will apply to the motor vehicles manufactured on and after the date established by the Secretary.

The automotive industry has informed our committee that the industry will be able to meet the nationwide standards by 1968, which means that it is anticipated automobiles sold throughout the United States during the fall of 1967 and thereafter will very likely meet such standards prescribed by the Secretary to meet this problem.

There were many bills introduced and referred to our committee. Under some of them specific standards were established for motor vehicles. We have not adopted specific standards in the legislation for obvious reasons, but have left the criteria flexible so that the Secretary would be able to prescribe feasible and reasonable standards.

We have to recognize that we will have problems in the future that we cannot precisely see today. Ideally, the only type of emissions that would occur from gasoline powered or diesel engines would be carbon dioxide and water. Unfortunately, the process of burning of fuel that takes place inside the engine of a motor vehicle is not complete enough to lead to this result. This means, then, that the exhaust from the automobile, or from trucks or buses, contain some of the fuel that is not completely burned. It is therefore discharged into the atmosphere as hydrocarbons. Due to incomplete combustion some carbon monoxide is discharged. Oxides of nitrogen are also formed, and when weather conditions are such that the exhaust fumes from the automobiles tend to accumulate, they are acted on by the sunlight, resulting in what is familiarly known as "smog." Due to local geographic and weather conditions, smog exists in Los Angeles to a worse extent than in any other city in the United States.

However, from our hearings we have developed that many of your larger cities are beginning to have problems arising out of air pollution, to which the automobile exhaust is making a significant contribution.

Speaking of Los Angeles, I was in Los Angeles in 1960 during the National Democratic Convention. I had heard a great deal about the smog in Los Angeles. I frankly had some doubts about it myself. I was there about 3 days with no results. My doubts were confirmed, that all of this talk about smog in Los Angeles was a bit of publicity. But about the fourth or fifth day something happened to me. My eyes began to burn. I thought somebody had thrown some dust or something in my face I did not know about, or they had squirted something, and it got in my eyes.

I remember I was driving out of Los Angeles, about 60 miles down toward San Diego. This thing was bothering me no little bit. Then I suddenly came to fully realize that the smog had hit.

I then became thoroughly convinced that all of these reports we had been receiving as to the problem in California were actually not a figment of the imagination.

Polluted air constitutes not only a nuisance—it is a health problem as well. Just recently, a study was conducted of the excess deaths attributable to air pollution in New York City during the period January 29 to February 12, 1963—a period during which weather conditions were such as to lead to concentrations of pollutants in the air at that city.

This study revealed that during that particular 2-week period of unusually high air pollution, over 400 of the 4,596 deaths that occurred in the city were attributable primarily to air pollution. This was not all caused by emissions from automobiles. It was caused from other activities within that great metropolitan city.

So there are many sources of air pollution in addition to automobile exhaust and these other factors contributed significantly to the excess deaths during this episode that occurred in New York City during 1963. It must be realized, however, that air pollution attributable to automobiles played a significant part in this episode.

In addition to dealing with the problems of automotive air pollution, title I of this bill would also provide that the Secretary may call a conference with respect to air pollution adversely affecting persons in Mexico or Canada. Where such a conference has been called, the representatives of those two nations, Mexico and Canada, would have all the rights of a State air pollution control agency. But this provision contained in the bill as provided by the other body was amended to provide that a foreign country would have such rights as provided in this section only if reciprocal rights are provided for persons in the United States by such foreign countries.

We think that is a reasonable provision and a reasonable requirement.

In addition, the committee added a section to the bill providing that if the Secretary determines an air pollution problem may result from discharges in the atmosphere, he may call a conference in which all interested persons are to be given an opportunity to be heard. After the conference the Secretary may make findings and recommendations. These recommendations, of course, would be advisory in character but would be admitted together with the record of the conference as a part of any abatement proceedings brought thereafter.

Now the bill, as passed by the Senate, would have authorized the Secretary to construct, staff and equip a Federal air pollution control laboratory. Our committee amended this authority to make it more flexible and to permit the Secretary to establish, equip and staff such facilities as he determines to be necessary to carry out this authority.

We think under the circumstances since we are just entering on this program and there are many problems that are going to develop which we cannot foresee at this time that there should be more flexibility for the Secretary to meet such problems as they develop.

One other feature of the bill relating to air pollution deserves some mention. This is the provision providing for accelerated research programs relating to, first, the control of hydrocarbon emissions from motor vehicles and, secondly, to low-cost techniques to reduce emissions of oxide of sulfur produced by combustion of sulfur-containing fuel.

Let me deviate for just a moment. There was a bill that I introduced in connection with this program that would give the Secretary authority to control the fuel used in any Federal buildings within the United States. That had to do with any expansion or new construction in the future.

Obviously what would have occurred in that regard is that we would have legislated the use of other fuels than coal or fuel oil. The information that we developed during the hearings of the committee provided that if this authority, which is rather general, was given to the Secretary and the Secretary would carry out what was proposed, that, along with a program that had been proposed for adoption by the Bureau of the Budget, it would have meant difficulties for the coal and fuel oil industries.

So, during the course of the hearings, we tried to clarify what was involved. The Bureau of the Budget apparently was not satisfied with what was proposed. Conferences were held, and they did not approve the proposed order. But there was information that came to us that although the Bureau of the Budget had not approved this order, they were going to proceed anyway to put this principle into effect. We were told that it was proposed to inaugurate a program which would virtually say that any new buildings of the Federal Government in the future could not use coal or residual fuel oil substantially because of the sulfur content. The reason for that is that most of the coal and imported residual fuel oil used has such a sulfur content that it would be beyond what the regulation would provide.

This created quite a controversy, and I believe appropriately so. We pursued the subject and sought to make it abundantly clear by getting a letter from the Department, which Members will find incorporated on pages 2 and 3 of the report. In that letter the Department assures the committee and the Congress that it will undertake no further effort to invoke such a broad, general policy merely by regulation. In that way we eliminate the serious objection that was offered by the coal industry and the fuel oil industry.

I believe it is important to mention that point because of the attitude of some in the Department who had arbitrarily taken it upon themselves to try

to bring about, through regulation, such a principle without having it cleared as it should be through the regular, established order, if not by congressional action, then through the Bureau of the Budget.

We would expect—and, of course, I know we can expect—the Department to carry out its policy in that regard.

Mr. Chairman, title II of the bill deals with the problem of the disposal of solid waste. There are those who feel that this is an unnecessary invasion and interference by the Government into a problem that should be primarily local.

If we accepted the viewpoint of those who feel that the Federal Government is going to assume the responsibility and the obligation of disposing of garbage and all solid waste of municipalities all over this country, then they would be right, but I want to make it abundantly clear here and now that that is not the purpose of the program.

The purpose of this program is research, investigations, experiments, training, surveys, studies and demonstrations, relating to the operation of financing and otherwise disposing of this solid waste product. That is what this program involves.

This program was contained in the bill passed by the Senate. It is included in legislation proposed by many of our colleagues. The report mentions the various Members who have introduced legislation along this line, all of which bills were referred to the committee.

Other than the bill to which I referred a moment ago, having to do with Federal facilities, the bill given most consideration was that offered by the distinguished chairman of the House Committee on Public Works, the gentleman from Maryland [Mr. FALLON], and the bill which passed the Senate, being considered today, S. 306.

What we did was along the lines generally proposed in S. 306, which is the bill most acceptable to the Department of Health, Education, and Welfare, to the President and his administration. Many of the provisions of the gentleman's bill are included in this.

This is a highly important title to this bill. Even though it is going to be somewhat controversial, I believe that when we conclude the debate the overwhelming sentiment in the House will be behind it. We should understand what is proposed. We should be farsighted enough to take this advanced step toward doing something about solid waste disposal through incineration and other means which might be developed, some of which are not in existence today. This should be of great interest to the overwhelming majority of the House.

Remember that more than one-half of all the cities in the United States, with populations in excess of 2,500 have inadequate or improper waste disposal practices. Smaller communities in particular have had to resort to open dumps and equally unhealthful and unsanitary methods. Such practices are menaces both to the communities themselves and to the rural countryside.

As a result many communities have been subject to litigation, which has been brought by many people because of highly unsatisfactory conditions caused by mounting volumes of garbage, refuse, and debris which must be disposed of. Fly- and rodent-breeding places, water and air pollution and general nuisances are all directly associated with these situations. More and more, these cities of all sizes are confronted with insoluble problems and are requesting the types of assistance provided by S. 306. Many of the smaller cities are requesting assistance from the Federal Government. If these problems continue to grow unattended, they can only get worse—and costlier—to solve in the long run. For these important reasons, the establishment of a national program of research and demonstration as provided in S. 306 is a vital need to communities, small and large, and to rural residents as well.

I urge Members to get a copy of the report and turn to page 7 and just read the information which we have developed here about the accumulation of litter and refuse and junk which causes fire hazards and contributes to accidents and destroys the beauty of the cities and countryside. What is the use of having a beautification program which is going to be brought to this House in a few days if at the same time we are going to permit a situation to exist where there is no proper method for dealing with such rubbish as demolition debris, construction refuse, or abandoned material, such as old refrigerators, waste from slaughterhouses, canneries, and manufacturing plants, and all of this other stuff that is dumped in this country every day. What we are trying to do here is to develop some method of new techniques whereby these cities can have available methods to use besides taking it out in the countryside and dumping it, which creates a condition that I know the people of this country just do not want. This is highly important and I think it should be seriously considered by this Committee.

Mr. STEED. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I shall be glad to yield to the gentleman from Oklahoma.

Mr. STEED. I thank the gentleman for yielding.

Let me say first a few years ago when I served as a member of the subcommittee which held hearings on the smog situation in Los Angeles I was privileged to hear the scientists from UCLA give a detailed report on the research they had done. After hearing that and ever since I have been a strong advocate of this type of legislation in the field of air pollution.

I would like to address my question to the part of title II of the bill concerning solid waste disposal and to call attention to the second paragraph of your report on page 8 where you make mention of the fact that the committee does not want anything in this legislation to duplicate work being done in this area by the secondary materials industry. I have in my district a company, the International Disposal Corp., which for many years has been spending large sums of money experimenting with a process which is now perfected and which is now in the process of being put into commercial production, which deals with one phase of solid waste disposal. What I would like to know from the chairman is this: Do you think the terms of this bill are broad enough to cover an activity of this sort and protect it from having their activities duplicated by the provisions of this bill? Or does it require additional language in the bill to include this type of activity along with the secondary materials industry?

Mr. HARRIS. The committee thought in its deliberate consideration of this problem that it had sufficiently resolved this question. I would like to quote the sentence following the sentence that the gentleman read in the House report on page 8. I think this explains the attitude of the committee and what we intended, anyway. If we do not do it to the satisfaction of the gentleman and other Members, we will be glad to do so in order to make it clear that that is what we intend. We said there:

> The committee, therefore, expects that the funds authorized under this act will be used to demonstrate new and improved methods in solid waste disposal and not for facilities that would duplicate—

And I repeat—

> not for facilities that would duplicate those operated by the secondary materials industry.

We did not intend to interfere with the magnificent effort of such companies as the gentleman has referred to in his own State.

Mr. STEED. Mr. Chairman, I appreciate what the chairman has said. I am in hopes that the Department will realize that any activity under this bill, if it becomes law, that duplicates this sort of thing would not be in keeping with the spirit and intent of the committee and the bill and would also be a foolish waste of public funds.

Mr. HARRIS. The gentleman has accurately stated the committee's intention.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I have a constituent who has written me about title II of this legislation. This gentleman appears to be in the scrap iron business and he writes in part as follows:

> S. 306 in its present form needs more study and certainly a new definition of "solid waste." Scrap iron that feeds our steel mills and paper stock that conserves our forests and feeds the paper mills certainly is not "waste" or "junk."

The question I have to ask of the gentleman is whether or not the gentleman would consider that scrap iron which is for use in steel mills is to be included within the definition as a solid waste.

Mr. HARRIS. We had some discussion of that particular program. I think it was decided that to single out any one product or commodity might make it necessary to go on ad infinitum and

single out others; that it would be obvious that scrap iron and even such matters as could be baled and utilized as we do in this country would not be considered as solid waste as we define in this legislation.

Mr. McCLORY. In other words, it is the intention to provide research and studies in cooperation with local and State governments with regard to solid waste that we want to get rid of and not solid waste which we want to sell and utilize in industry in some other way.

Mr. HARRIS. Yes. I might say the kind of solid waste that would be referred to as trash or rubbish or garbage that they get from homes and so forth and which pose a problem to a community, particularly in the metropolitan areas where there are governmental entities all intertwined, represent a different matter. Here you have a governmental entity in this vicinity, and in an adjoining vicinity another one, and the maybe another one. This presents a health problem in solid waste disposal. There is no way in which these governmental entities can deal with this problem as it should be dealt with except by agreement, and that is always difficult.

We had testimony from certain of our cities that have this problem where certain entities of Government felt that another one should assume more responsibility, and that one said, "No, this one should do it," and the first thing you know they go around in circles and nothing is done, which creates these hazardous health problems.

I feel that we can by demonstration and experiment and new techniques deal with those Government entities and come up with new methods of disposal to meet this ever-growing problem in our society.

Mr. McCLORY. That is the way I understand it.

Mr. HARRIS. What the gentleman has referred to is a product that does not come from a municipality as solid waste, as such, but is a product that is utilized in our industrial, private endeavors in this country. We do talk in the record about reclaiming certain solid waste, but that means reclaiming this kind of solid waste that I am talking about and not reclaiming such items as scrap iron, which would, through the processes we know of in this country, be utilized again in our industrial output.

Mr. McCLORY. I thank the gentleman.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I shall be glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the chairman, because it has been a distinct pleasure to hear this presentation by the distinguished chairman of the great committee which has brought this bill to the floor of the House. I have had the feeling once again that we are listening to one of the really statesmanlike legislators of this body in the presentation that has been made.

Mr. Chairman, the report of the committee makes reference to a problem which undoubtedly is a growing national problem with reference to the effective control of motor vehicle pollution and it states—and I believe that probably it is going to take several years to get to a point of effective control—but it goes on and states that the techniques now available provide only a partial reduction in motor vehicle emission and for the future better methods of control will clearly be needed.

The question I would like to address to the gentleman is with reference to the letter which is reprinted in the report at pages 38 and the following pages, in which the Secretary of the Department of the Interior points out the program which has been conducted in this field for some time by the Department of the Interior, and points out that the expertise of the Department of the Interior is available to the Secretary of the Department of Health, Education, and Welfare in connection with the solution of this problem.

I would like to make quite certain, based upon a reading of this bill, that the committee does intend that the Secretary of the Department of Health, Education, and Welfare continue to avail himself of the expertise of other departments and to seek their judgment and assistance in connection with this very serious national problem. I believe the Department of the Interior is in a position to make a very distinct contribution in this field. I know that the Bureau of Mines with its facilities in particular have been working on this for a very long time and have come up in my opinion with some outstanding contributions.

It is my hope that when title I is placed completely under the authority of the Secretary of the Department of Health, Education, and Welfare, that it is, nonetheless, the intention of this great committee and its chairman that the Secretary of the Department of Health, Education, and Welfare continue to make full use of the facilities and personnel as well as the expertise of the Department of the Interior in connection with this problem.

Mr. HARRIS. The gentleman is correct, that it is the intention that the Department of Health, Education, and Welfare—the Secretary—utilize the services of any and all of the Government agencies, of industry, local governments, State governments, and any source whatsoever which can be of assistance in this field.

The bill provides that the Secretary must consider these views that will be submitted from other sources in connection with these air pollution programs.

With respect to solid wastes, I will say further to the gentleman, if he will observe the bill itself, in title II there is $92 million authorized to deal with this problem over a period of 4 years.

Also approximately $60 million of this authorization is made available to the Secretary of Health, Education, and Welfare, and the other $32 million is made available to the Secretary of the Department of the Interior, to carry out work in the field of solid-waste disposal.

Mr. EDMONDSON. If I understand correctly, the effective working relationship between those two departments as they now exist would continue. A good deal of the work of the Department of Interior has been conducted at times with funds made available by the Department of Health, Education, and Welfare to carry out projects of the Department of Health, Education, and Welfare. I was hoping, with some very understandable instances of the role of the Secretaries of Health, Education, and Welfare in this air pollution field, it was still the intention of this committee that effective working relationships of this type would utilize the experts of other departments in the future.

Mr. HARRIS. The gentleman is correct. It was made very clear in the original act passed in the 88th Congress on abatement of air pollution that we intended for that principle to be carried out.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I am most interested in section 102 providing for the international control of of air pollution. Since I come from Buffalo, which is on the United States-Canadian border, with only about a half-mile of water separating us, can the gentleman cite a case of how section 102 would work in this instance of pollution emanating from the United States in the Buffalo area and going over to Fort Erie in Ontario, right across the Niagara River?

Mr. HARRIS. There would be a problem from Buffalo into Canada. That problem would be recognized. The people in Canada affected would raise some objection. They would through the regular procedures make a complaint to our country. Before they could proceed to bring about any program to deal with the subject they would have to be in agreement for reciprocal treatment. On the agreement of reciprocity there would be inaugurated a program by the Secretary to deal with that particular problem, and similar to the problem existing in Chicago and other places.

Mr. McCARTHY. The Secretary of HEW upon request of the Secretary of State would convene a conference; is that correct?

Mr. HARRIS. That would be one approach to it. We do not say precisely that is the way it is going to be done, but I am sure our own Government would require any official complaint to be brought through regular channels. It is entirely possible that the municipality across from Buffalo, Fort Erie, Ontario, the municipality itself would make the complaint direct to the Secretary. Then the Secretary would investigate and declare what procedure was necessary to bring about reciprocity. Then after that had been established the program as provided in this bill would come into play, and they would through public hearings and regular procedures develop the problem and see if there were some way it could be reached.

Mr. McCARTHY. I thank the chairman very much.

Mr. HARRIS. Mr. Chairman, I want to make it clear again that this does not

mean that the Federal Government is taking over the solid waste disposal problem. To the contrary, the Solid Waste Disposal Act is, I repeat, aimed at mobilization of all levels of government, Federal, State, and local, recruiting the talents of scientists and other specialists in industry to participate in a nationwide program affecting the health and well-being of most of our citizens.

It is traditional in this country for the Federal Government to lend assistance in eliminating a national problem. This is a national problem—do not overlook that. And it is traditional for the Federal Government to aid in meeting problems through supporting research demonstrations and training when local, State and private sources are unable to cope with the magnitude of the problem.

So let me emphasize that the Federal moneys are only a small fraction of the governmental expenditures in this field. But even so they would be directed at across-the-board activities which are intended to be beneficial to all of our great country.

Let us not overlook the fact that solid wastes are related to and contribute to our air and water pollution problems. Certainly if this Congress can provide national programs for action against air and water pollution, we can at least do something about this problem that is as significant as in all respects of the same magnitude as the problem of solid wastes disposal throughout the Nation today.

Our committee by an overwhelming majority commends this legislative program as one of the great forward steps in an attempt to deal with a national problem. We hope that the House will approve this bill in its entirety.

The CHAIRMAN. The gentleman from Arkansas has consumed 50 minutes and has 10 minutes remaining.

The Chair recognizes the gentleman from Nebraska [Mr. CUNNINGHAM] for 1 hour.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend our distinguished chairman who has very carefully and in detail explained this very important piece of legislation. A little while ago we passed a bill on heart, cancer, and stroke—an important piece of legislation I am sure. But to me there is very little legislation that I can think of that is more important than the bill we now have under consideration. Because today we have a polluted atmosphere and this particular bill gets at one of the root causes of certain types of cancer including lung cancer.

We passed a bill not long ago where our committee brought before the House and the House passed the bill, to stamp a cigarette package with a warning saying that smoking is dangerous to your health, and so forth. There is no proof and there was no proof before our committee that we could rely upon, that cigarette smoking causes lung cancer. But there is proof that certain types of noxious fumes from automobiles and diesel trucks and chemical plants, and so forth do cause and are the cause of certain types of lung cancer. So this bill is very important.

What this country needs is good, clean, pure air. I remember when I came here about 10 years ago our distinguished colleague, the gentleman from Minnesota [Mr. BLATNIK], made a statement to this body and said:

> Within 10 years the most important problem this country will face is the problem of having an ample supply of good, clean, pure water.

Through his efforts and the support of this House we have made great strides, so that today we are on the road to victory in this battle for good, clean, pure, water. So this bill today is beginning that same type of battle so that maybe 10 years hence we will be able to have good, clean, pure air to breathe.

Doctors tell us that the finest form of exercise is just walking around in the out of doors. But how many of us can walk outdoors without inhaling all of these lousy, obnoxious fumes? One cannot walk around the block without breathing them in. So the people are not exercising as they should because so many of them know that this is true.

I wish to speak just a moment on the subject of solid waste disposal. I am favorable that that provision should remain in this bill. I wonder if I could direct a question to the distinguished chairman. I was going to ask if he might answer the following inquiry: Under the definition of "solid waste," would the chairman think that the term would include leaves that fall in the autumn time?

Mr. HARRIS. It is conceivable that it could include refuse that might come from leaves, because they would become a part of waste disposal, which I know the gentleman has experienced in great metropolitan areas. I know at my own home we burn our leaves in a wire basket or similar container in the back yard. It creates certain disposal waste that we must do something with. So in that way leaves could become a solid waste.

Mr. CUNNINGHAM. I appreciate that response. That is the way I read the legislation. I understand that it would be included.

Mr. HARRIS. Mr. Chairman, if the gentleman would yield further, I wish to reiterate that it is not the intention to take over the problem of waste disposal. The program is designed to find new ways, methods, and techniques of disposing of solid wastes in order that we can make those ways, methods, and so forth available to the municipalities and the communities of our country for waste disposal.

Mr. CUNNINGHAM. I thank the chairman. I understand that perfectly. Where I come from, and I am not speaking only of leaf disposal but of the burning of leaves, we are not allowed to burn leaves willy-nilly at any time of the day. They must be burned in a certain type of container, and only during a certain period of the day.

My temporary home here in Arlington County has no such restrictions. Any Member who lives in Arlington County knows what a terrible situation we have over there when everyone is burning their leaves out in the street, on the sidewalk, or in their backyards. Those fumes hang over the neighborhood for hours upon hours.

So I think that is an important point that should be researched because I believe that it, too, has something to do with lung cancer and related diseases.

Mr. Chairman, as I said, our distinguished chairman has amply described this legislation. It is most desirable legislation. If the day ever comes that we can breathe good, pure, clean air, then I think we shall really have accomplished a great deal toward the good health of the American people.

Mr. Chairman, I yield as much time as he might consume to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I shall not use much time.

I wish to point out that there was complete agreement on most parts of this bill. The automotive industry has been quite concerned, because there are many proposals on legislative fronts dealing with these problems, they fear that we might be running into situations in which many States would come up with regulatory legislation setting up standards for control of exhaust fumes and so forth. There also seemed to be some need for national standards in this field in other related areas. Of course, by enactment of a law such as this this problem would be eliminated.

We did find in the committee some disagreement as to the part of the bill relating to disposal of solid waste.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Arkansas.

Mr. HARRIS. One matter I overlooked, which I believe ought to be called to the attention of the Members, is the cost to the public of a program dealing with the matter of emissions from automobiles.

Representatives of the automobile industry appeared before the committee, and testified at length on the program, and in support of it. It was their general estimate, as I recall, that this might entail an additional cost of approximately $50 per automobile.

It should be mentioned also that the industry has developed a device for control of emissions from automobiles which is a State requirement in California for 1966 because of conditions in Los Angeles.

There are those who feel perhaps this will entail an increased cost to the consumer in the price of an automobile. It is entirely possible an additional cost may be required. We provide that at the appropriate time, when standards are provided by the Secretary, under the well-established procedures that we develop here, these devices must be included to solve the problem. We provide that it may be a built-in device, ultimately, instead of a different attachment, say a device attached to the carburetor or the crankcase or the engine head, as the case may be. This has to come sooner or later, to take care of the problem with respect to exhaust fumes. This will add some cost.

It may be that as time goes on these built-in devices within motors will take

care of the problem. How much the increased cost might be at that time we cannot say.

We could very well afford to do without some of the very elaborate things which are included in the automobiles of the country today, in order to take care of this kind of problem which presents a health hazard.

Mr. NELSEN. I thank the gentleman.

I might point out that in the committee the section of the bill dealing with solid waste was the only section which seemed to be in some dispute. We found there were those who had the opinion that it should not be in this bill and should be treated as a separate subject. I believe the Senate took it out of its bill. However, it has been considered in another measure there.

We did feel we should make one suggestion, contained in our minority views. The Department of Health, Education, and Welfare made this statement:

> The collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies.

We continued:

> We do not agree, however, with its final conclusion because it is our position that the Federal Government should not participate in solid waste disposal by providing financial aid including construction money and technical assistance, as the bill provides.

Now, as the chairman has pointed out, the purpose which he seeks to gain is experimental, to determine ways in which we can handle this solid waste, not primarily to give assistance to communities to eliminate their personal or local problems but more in the direction of finding a method that all communities could finally follow. However, I might mention the language on page 34 of the bill is rather broad, but I do think that the legislative history will pretty well nail down what the intent of the Congress is. I might say, however, that there is a minority view in the report which I have personally signed. I think there is considerable controversy relative to this particular section and considerable misunderstanding.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I will be happy to yield to the gentleman.

Mr. ROGERS of Florida. I would like to join the gentleman also in establishing the legislative history which the chairman attempted to establish and which he has done so effectively here by saying that the solid waste disposal program is one for research and finding new methods of trying to handle the problem rather than, as you just stated, going out and trying to solve the individual community problems of disposing of solid waste. So I think this is firmly understood in the debate today and there should be no area for misunderstanding what we intend. With this in mind I would very strongly support this proposal as well as this legislation and urge its passage.

Mr. Chairman, only recently in the administration of another President this Congress gave initial recognition to the serious problems which our society must face in regard to the control of the quality of air around us. I speak of the Clean Air Act of 1963 which was one of the last major bills signed into law by President Kennedy. The passage of that legislation firmly established the concern of the Congress and the bill now before this body is a further manifestation and extension of our desire to insure clean air for the generations of Americans yet to come.

This legislation has two primary areas of concern: the abatement of air pollution and the development of a national program of research into new and improved methods of proper and economic solid waste disposal. These two provisions are in a sense interdependent on one another. For if we are to conquer the problems of providing a clean atmosphere we must be prepared to meet the exigencies of all situations which are contributing to the contamination of that atmosphere.

The air pollution title of the bill centers primarily on attacking the problem of motor vehicle pollution. In the next 10 years the amount of pollution emitted in the air will increase by approximately 75 percent. The legislation before us requires the Secretary to prescribe allowable standards of emissions for new motor vehicles. These standards will insure that the minimum amount of pollution is being emitted.

Once these standards have been established it shall then be illegal for any motor vehicles to be manufactured which do not contain the necessary modifications to guarantee that the standards are being complied with. During our hearings on the legislation the automotive industry indicated a willingness to both aid in the determination of what the allowable standards should be and comply with those standards once the Secretary had determined their adequacy. I think this cooperation on the part of the manufacturers is both commendable and indicative of the fact that they too recognize the urgency of the problem.

The committee has recognized that the collection and disposal of solid wastes is, and should remain, primarily a function of State, regional, and local agencies. But our hearings on this matter also brought out the increased need in this area for new methods and processes. It has therefore become necessary to conduct studies on the national level to develop new and improved methods of proper and economic solid-waste disposal. The bill will also provide assistance to State governments and interstate agencies in planning, developing, and conducting solid-waste disposal programs. These programs are not an encroachment upon the reserve prerogatives of the States, but rather an effort at assisting the States in an area that is fast outgrowing the present methods of treatment. In comparison with the $3 billion figure that is being spent on refuse collection and disposal, the $500,000 being spent on studying advanced methods of disposal is far and away inadequate.

Currently Federal efforts in this field are confined solely to the Public Health Service Act and it is not sufficiently broad in scope to aid the States in providing assistance for their programs. Nor are the current Federal efforts in this field sufficiently adequate to meet the pressing needs for research in this area.

In short, Mr. Chairman, the magnitude of the problem we are attempting to deal with makes this legislation vitally necessary. When we consider the number of motor vehicles on our highways, the vast concentration of people and industry in our urban areas, and the projected increases in both of these factors we can then, and only then, get some idea of the goals of this undertaking. I urge passage of this farsighted measure to insure that the current problems in air pollution and solid-waste disposal are adequately met.

Mr. NELSEN. Mr. Chairman, I would point out that the cost will be $92.5 million for this purpose in the next 3 years. Of course, as I stated earlier in the consideration of other legislation before the committee, I think without question there are many, many things that would have great merit which we could do. However, we do need to proceed with caution wherever possible in the way of the expenditure of taxpayer dollars. Our country continues to go deeper into debt, and we want to be sure every dollar we spend is properly spent.

Mr. Chairman, I have no further requests for time.

Mr. CUNNINGHAM. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I am pleased indeed to lend my support to S. 306, for I believe that this bill represents the first major step toward defeating the menace of air pollution. Coming from a large metropolitan area, I am well aware of the enormity of this problem, and I feel that the Federal Government must join in the efforts already undertaken by State and municipal governments to overcome this situation. The American people want clean, healthful, invigorating air, and it is our responsibility to translate that aspiration into a reality by passing this bill.

I am not a member of the committee which has labored long and effectively for this legislation. I appreciate the privilege of joining in the debate, but I have had a deep concern.

I want to commend the distinguished chairman, the gentleman from Arkansas [Mr. HARRIS] and extend my compliments to the minority spokesman, the gentleman from Nebraska [Mr. CUNNINGHAM] for their enlightened and superb work in this field and I wish to congratulate the committee for bringing before us the legislation we are debating today.

One of the key provisions of this bill is that which authorizes the Secretary of Health, Education, and Welfare to establish safe standards for automobile exhaust, and requires the automobile industry to equip new engines with emission control devices capable of meeting these standards. I am addressing my remarks today to title I of the bill, since it is similar in language to the bill I introduced earlier in the session to provide

just this authority and testified on the proposal before this fine committee. I am gratified to see such a provision in the bill before us today. For fully 50 percent of the Nation's air pollution is attributable to the exhaust which pours incessantly from our 84 million vehicles.

All the carbon monoxide and most of the nitrogen dioxide which poisons our air comes from the tailpipes of automobiles, and this has been growing worse every year. The Department of Air Pollution Control in New York City issued a report at the end of 1963 which revealed that the carbon monoxide content of the city's air had increased by 50 percent that year, and the nitrogen dioxide content, by 87.5 percent—and this has been growing steadily worse each year. I have watched and studied the statistics which document the growth of the air pollution problem, and I want to see that trend reversed.

The property damage wrought by air pollution defies credibility. Arthur Benline, the able commissioner of New York City's Department of Air Pollution Control, has estimated that air pollution accounts for an economic loss to New York property owners of over $520 million annually. But the toll this takes in the health of our people, is even more serious. This has been carefully studied last year by the New York Academy of Medicine, and before that, at the National Council on Air Pollution. The evidence amassed demonstrates overwhelmingly that air pollution contributes to chronic respiratory disease. Even though no direct causal relationship has been established between automotive exhaust and any particular disease, ample evidence has been accumulated which would link air pollution to various respiratory ailments. For example, a definite relationship has been demonstrated between asthma attacks and the level of sulfur dioxide in urban air, and a similar correlation has been shown to exist between lung cancer and urban air pollution. I think if we can provide for control of the pollution caused by cars, trucks, and buses, we will be taking a giant stride forward in safeguarding the health of all Americans.

There can be no doubt that this is a Federal responsibility. Though traditionally, air pollution control has been within the province of State and local governments, two factors impinge the problem on us. First, if States were left to establish independent standards for automobile exhaust emission, for example, chaos would ensue. Manufacturers would be burdened with producing cars which would have to meet 50 different standards, and if an automobile owner moved from one State to another, his vehicle would have to be overhauled. Second, if one State were to promulgate and enforce effective pollution control regulations, and a neighboring State were lax, the former would still have to contend with the dirt, foreign particles, and noxious fumes carried by the wind from the latter State. Thus, uniformity is absolutely necessary, and the Congress must accept this responsibility, and should welcome the opportunity to help our people purify their air.

Equipping new engines with emission control devices will not be prohibitively expensive. The Chrysler Corp., for example, has produced a clean air kit costing only $13 to $24, which would reduce total emissions by 65 to 70 percent, and spokesmen for the auto industry agree that such a device can be mass-produced in time for the 1968 models. This small addition to the cost of a new car is but a fraction of the savings which result from the repeal of the excise tax on automobiles, and a very modest price indeed for clean air.

Finally, Mr. Chairman, I would like to say that I fully support the other major provision of this bill which provides for fuller Federal participation in research and experimental programs designed to assist the States in developing sound solid waste disposal projects. This Federal help is desperately needed, and I believe that the nature of the assistance provided in this bill is well tailored to meet this pressing need.

Mr. CUNNINGHAM. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LINDSAY. Mr. Chairman, I shall come directly to the point: The bill before us today will not do the job. It approaches the urgent, critical problem of air pollution with hesitation and timidity.

It provides no money whatever to States or cities for a frontal attack on their defiled atmospheres.

Air pollution is a national concern. It affects, in varying degrees, every one of our largest cities. Its resolution demands strong, effective national legislation.

Our fresh air is a precious national resource which, in common with many of our natural resources, has been misused, demeaned and in many instances contaminated. Only 2 years ago, 405 New Yorkers died during a 15-day period of intense air pollution. Most of the victims were aged and ill. But life was as precious to them as to the young.

Hundreds of similar but less severe incidents caused by polluted air have been reported across the country. Bad air not only affects our health, but costs us billions of dollars yearly in cleaning and laundry bills. At best, it is unsightly.

Air pollution is a silent and largely invisible enemy, one we have not even begun to fight. In my judgment, this bill (S. 306) is not much more than a beginning.

My first criticism of the bill is that it establishes no deadline whatever for national control of insidious motor vehicle fumes. These emissions account for about 40 percent of the pollution in New York City's air.

The bill simply directs the Department of Health, Education, and Welfare to prescribe its emission standards "as soon as practicable." The establishment and enforcement of national controls upon pollutants cars and trucks spew into our air forms the heart of any Federal air pollution abatement program. Yet the language of this bill is unhurried and even lackadaisical.

The bill I introduced earlier this year to amend the Clean Air Act would have required the Department of Health, Education, and Welfare to prescribe the California maximum emission standards for all new cars and trucks to take effect 1 year after enactment of the bill. As passed by the Senate, S. 306 directed that national standards be adopted no later than September 1, 1967. The Senate deadline was eliminated.

I appreciate the reluctance of the Committee on Interstate and Foreign Commerce to write into the bill fixed standards of a highly technical nature. I believe, however, that a firm date should be set for the application of antipollution regulations to motor vehicle manufacturers. The Department of Health, Education, and Welfare can be instructed to set standards administratively; they need not be spelled out in the act.

If standards are imposed administratively, I see no reason why maximums cannot be placed on the emission of hydrocarbons and carbon monoxide by cars and trucks manufactured in the United States next year.

A second criticism of this bill is that it contains no followup enforcement period. It provides fines for manufacturers who fail to meet Federal standards on exhaust emission, but it is silenced thereafter. My bill, H.R. 7065, authorizes Federal grants of $15 million a year to States to help them inspect control devices and engine modifications to determine whether vehicles in use actually meet national criteria. Many of the States could perform this duty in conjunction with existing safety inspection programs. I think it regrettable that this provision was not adopted.

Third, the bill virtually ignores one of the most obvious sources of air pollution in our cities: Incinerators. New York City alone has almost 20,000 incinerators, and they contribute enormously to the city's often foul air. Incinerators are responsible for much of the soot afflicting all our major cities. In New York, 60 tons of flyash and other debris falls on every square mile each month.

My bill authorized $100 million a year in grants to assist cities in the acquisition and installation of air pollution control devices to minimize the dirty discharges from solid waste disposal plants.

The committee bill bypasses incinerator smoke and embarks upon a $92.5 million program to develop better methods of disposing of solid wastes, which is largely tangential to our objective of clean air.

The disposal of trash and garbage presents growing difficulties for cities, particularly New York. Almost 520 million pounds of refuse must be collected in our urban areas every day of the year. We must develop efficient low-cost methods of disposing of this gigantic pile of refuse.

While I applaud the assistance the bill provides for waste disposal I lament the failure to attack the immediate source

of air pollution, which is the smoke produced by incinerators now burning off solid wastes.

Fourth, I strongly object to the retention of the 12½-percent limitation on the amount of grants that may be awarded to any one State under the Clean Air Act of 1963. Congress almost automatically places a State limitation on funds authorized in national legislation, and the unvarying effect is to discriminate against our larger States. More precisely, it is unfair to the Nation's largest cities.

The limitation in this bill is perhaps the most foolish of all. The most acute air pollution problems in the United States are in New York City and Los Angeles. Under the limitation, New York and California can qualify for no more assistance than New Mexico, which has no discernible difficulty with polluted air.

The policy may possess a certain amount of logic in other legislation; but when we are dealing with a problem which manifestly is most serious in our largest cities the formula makes no sense whatever. I do not suggest that the appropriations under this or any other nationwide congressional program be allocated on a first come, first served basis, for it would discriminate against our smaller cities and States. My bill calls for the State limitation to be raised only slightly, from 12½ percent to 20 percent. I am disappointed that the section was discarded.

Fifth, my bill would have awarded business and industry a form of investment credit or an accelerated depreciation schedule on purchases of air pollution control facilities. The objective was to stimulate antipollution efforts by such businesses as Consolidated Edison in New York City. The provision was eliminated, apparently on the recommendation of the Bureau of the Budget, which said:

> We believe that tax measures should generally not be proposed as portions of substantive legislation.

The Bureau's position has merit. Congress should not make piecemeal tax revisions, but should initiate a complete reform of the Nation's tax structure. I should point out, at the same time, that Congress enacted two major amendments to the Internal Revenue Code, both dealing with medical expense deductions, when it passed the Medicare Act earlier this year. The procedure hardly followed the Bureau's stated philosophy.

While I am far from satisfied with the bill as presented to the House, I shall vote for it and I urge my colleagues to do so. I think it ironic, however, that the strongest passage in the bill, the one that will most benefit New York City, concerns solid waste disposal and not air pollution. While the disposal of the city's waste is highly important, I do not believe it should take priority over a meaningful attack on the far more pressing danger of poisoned air.

It is my intention, accordingly, to continue to work for a better bill, one which will recognize the growing peril inherent in defiled air and direct forceful action against it.

Mr. HARRIS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Colorado [Mr. McVICKER].

Mr. McVICKER. Mr. Chairman, I am extremely pleased to join with so many of my colleagues in support of S. 306.

Earlier this year I introduced a bill H.R. 7394, which had a similar purpose. I am gratified that many of the provisions of my bill are incorporated in the measure which we are considering here today.

My interest in this subject extends back many years. In fact I fought for air pollution legislation when I served in the Colorado General Assembly. Any effective action in this area is going to require the energetic effort and close cooperation of government agencies at all levels—Federal, State, and local. This bill will make that kind of cooperation possible.

I am equally concerned with the disposal of solid waste, inasmuch as that is one of the most pressing problems confronting my fast-growing suburban district. In that connection I would like to acquaint my colleagues of the House with the constructive steps taken by one of my progressive communities to cope with this problem.

The discussion thus far clearly demonstrates that the Members of this body are acutely aware of the urgent need to purge our cities of the deadly contaminants which foul their atmosphere. I am confident the Congress will lend concrete support to State and local efforts in this area.

How ridiculous such a problem would have seemed to our forebears. How ridiculous even to the Congress of a decade ago. Clean air? We take it for granted, we could say up until just a few years ago. To think that legislators would have to discuss ways and means of preserving air, the one thing the world is full of.

The very fact that we have come to the point in our civilization where legislators discuss the matter is serious in itself. It is serious, nay perilous, because in the course of the workings of our democracy matters reach the legislation stage only at the last critical moment. That means that experts view a given situation with alarm for years before the public picks up the cry and by the time the cry reaches the legislative halls the situation has reached a point where it may or may not be too late to do something about.

The real question before us is not, or should not be, whether or not to enact legislation to control air pollution. The question that hangs before our civilization is whether or not it is too late to do anything at all. Think for a moment of the news stories over the last few years about air pollution. The fogs, the smogs, the hazes, the smazes. The increase of respiratory diseases. The decline of vegetation and wildlife in our urban areas due, among other things, to bad air.

My State of Colorado has long been noted for its crystal-pure air. In recent years the air pollution in Denver has become a problem. Denver is a thriving metropolis, but the Denver area does not have nearly the population concentration of some of these eastern megalopolises. So suddenly there is air pollution a mile above sea level in only a moderately large population center. And Boulder, a city of some 50,000 souls 27 miles northwest of Denver, now has an air-pollution problem.

Where does it end? Soon there will be no hamlet safe from the poisonous fumes spewing from our modern industrial civilization. There is no course open to us but to enact legislation. Then we sit back and hope and pray that this legislation does not come too late.

I would like to discuss another aspect of the measure which we are considering here today.

The provisions of title II of S. 306, which is known as the Solid Waste Disposal Act, will be of tremendous benefit to the people of the Second District of Colorado. The four major counties I have the good fortune to represent, once predominantly rural in character, are urbanizing at an extremely rapid rate. With the growth and concentration of population the disposal of solid waste has become one of the area's most critical problems. The municipalities and counties in my district are responsible for providing, at the minimum, safe and sanitary places for the disposal of solid wastes, and many of the cities and towns collect refuse as well. In addition, the modified sanitary landfill operation where the city and county of Denver puts most of its solid waste is located in Adams County, part of the Second District. Thus, the counties within my district are the recipients of the solid waste from another jurisdiction as well as being required to provide disposal facilities for waste material from their own jurisdiction. For many years, Denver's refuse was deposited in an open, burning dump which is surrounded by fine residential areas. Fortunately, the practice of open burning by the city and county of Denver at this site was terminated earlier this year. Consequently, the problem of disposing of solid wastes is serious in my district and has placed an overwhelming burden upon its people and local governments.

The local governments of the Second District are not standing by and waiting for someone to solve this problem for them. Instead they are beginning the long, slow, tedious, and costly process of developing better and less expensive methods of collecting and disposing of garbage and refuse. They look to us today to help them by authorizing a nationwide research and demonstration program in this field, a program which will bring the attention of sanitation experts across the country to bear on a situation which will have all of us inundated with waste materials if more adequate methods are not discovered. I believe the programs which have been started by local governments in my district, when coupled with other local programs around the country, will fulfill the purpose of this important legislation.

With your permission, Mr. Chairman, I would like to take a few moments to

describe a solid waste disposal program which has just been started on a cooperative basis by the city of Boulder and the county of Boulder. As you know, Boulder County is one of the most beautiful in our Nation, and the city of Boulder, the county seat and home of the University of Colorado, with a population of approximately 50,000, is located at the foot of the Rocky Mountains below the picturesque red sandstone flatirons about 30 miles northwest of Denver.

As early as 1954, the surrounding property owners sued the city of Boulder and asked that the practice of open burning be stopped. Late in 1962, the city was named defendant in a lawsuit in which the plaintiffs asked $750,000 in property damages. As a result of the program which the city has undertaken to correct the hazardous operation of the modified sanitary landfill, the case was recently settled out of court for only $4,000.

In 1962, the Public Health Service, in conjunction with the Boulder City-County Department of Health, conducted an environmental health survey for Boulder County. PHS reported, at the conclusion of the man survey, that the modified sanitary landfill operated by the city of Boulder in an unincorporated portion of Boulder County posed a serious health hazard for the entire county. The refuse deposited at the site was burned in an open pit before being buried, and rats, other rodents, and insects thrived at the dump. Smoke from the burning dump posed a nuisance to surrounding property owners and residents, and rodents and insects invaded surrounding property and homes.

In an effort to provide a sanitary method of disposing of solid wastes in Boulder County, the city and county jointly undertook a comprehensive study of the matter with the assistance of the Federal Government which was provided through the Housing and Home Finance Agency's 701 planning program. As a result of this study, it was discovered that the soil conditions and high water table in Boulder County prevented the successful use of sanitary landfill methods. The high ground water in almost every area of the county led to the conclusion that landfill operations would result in the serious problem of polluting part of the water supply for the county. The poor soil conditions were brought about by shale beds underlying most of the county at very high levels. Consequently, sufficient quantities of desirable cover materials were not available for successful sanitary landfill operations.

These problems were further magnified by the fact that land, the primary ingredient for a successful sanitary landfill operation, is not available in sufficient quantity on an economical basis. Boulder is a growing community, and land values have soared beyond the point where it is economical for the city or the county to acquire land close to concentrated areas of population to devote to this use. To go farther away from the community where the solid waste is produced, would present other problems. The planning study indicated that the cost of hauling refuse to a sanitary landfill site which the city or the county could afford to purchase would range from 25 cents to 40 cents per mile. These hauling costs would unreasonably increase the cost of service for the home and business owner. These facts led city and county officials to search for another, less expensive means of solid waste disposal.

In an effort to overcome the health hazards existing as a result of the several open, burning dumps in the county, the board of county commissioners established minimum standards for sanitary landfill operations, and, to date, all of the cities and private operators have made their disposal facilities conform. The county then entered into a contract with a private firm for the operation of a composting facility at the county-designated disposal site. The city of Boulder has designated this disposal site as the only place where the private haulers licensed by the city may deposit refuse they collect. The city of Lafayette has taken similar action, and it is hoped that other cities will also abandon their present dump sites and designate the new county disposal area.

The change in Boulder County's appearance has been dramatic since all of this has taken place. The new county disposal site is operated under the close supervision of the Boulder City-County Department of Health, and is a vast improvement over the old sites in terms of public health standards and esthetics. The county, the cities, and the private operator realize that the value of a composting operation in the field of solid waste disposal lies in finding a market for the finished product. Consequently, they have approached Colorado State University with the idea of developing a research and demonstration project at this site for the purpose of illustrating how new ideas of composting can reduce the cost of the final product. I understand that this is just the sort of thing that this legislation is designed to encourage.

We are not authorizing another Federal-aid program by enacting S. 306. Instead, we are recognizing that our Nation is faced with a very serious problem, a problem which will require the imagination and hard work of people at all levels of government if the solution is to be found in time to save the Nation from its devastating effects. Local governments are simply not equipped financially to find this solution by themselves. But their efforts, based on financial and technical assistance from the Federal Government and coordination on a nationwide basis, will be productive.

Gentleman, there is no single, simple satisfactory solution to the problem of solid waste disposal, as in indicated by the study which the local governments in my district have undertaken. What may work in Boulder County might not be successful in other areas of the country. But enactment of this legislation will permit the exchange of Boulder's ideas with those from other parts of the country, to the end that all parts of the Nation will receive the benefits of this important legislation. Mayor Paul Crouch; his city council; Boulder County Commissioners Joe Smith, W. D. "Ted" McCaslin, and G. B. Akins, Jr.; Robert Turner and Robert Quinlin, the former and present city managers in Boulder; James Kean, assistant city manager in Boulder; and Archie Twitchel, Boulder's assistant director of planning, should be complimented for their devotion to searching for a solution to the solid waste disposal problems of Boulder County, Colo.

Their research and action demonstrates the importance of this problem to local governments of all sizes, and it illustrates to me the importance of our favorable action on S. 306 today.

Mr. HARRIS. Mr. Chairman, I am pleased to yield to the gentleman from New York [Mr. BINGHAM] such time as he may consume.

Mr. BINGHAM. Mr. Chairman, I rise in support of S. 306, the Clean Air Act of 1965. I know of no piece of legislation which has come before this Congress which has wider support among the people of my district. In June of this year, I polled the voters of the 23d Congressional District of New York and asked them whether they favored requiring devices on automobiles to reduce air pollution, even if it resulted in increase of the retail price of cars. Among the 8,000 who responded, 93 percent were in favor of such action, only 4 percent in opposition, and 3 percent were undecided. This was the greatest degree of unanimity expressed on any of the dozen queries in my questionnaire.

Mr. Chairman, I believe this demonstrates the fact that the country, at least as far as my district in New York City is concerned, is enthusiastically behind such legislation as this and I join in complimenting the chairman and the members of the committee for bringing forth this worthwhile legislation.

Our concern about air pollution is based on both the increased poisoning of the very air we breathe and our increased awareness of the dangers posed by air pollution. One prime offender is, of course, the automobile.

An excellent study, "Air Pollution in New York City," was issued on June 22, 1965, based on an investigation led by Councilman Robert A. Low. The study concluded:

> There can be no doubt that emissions from automobile engines and diesel engines are a major contributing factor to the increasingly undesirable atmospheric conditions existing in New York City and in every city throughout the country.

It has been estimated that 50 percent of our air pollution is caused by the 85 million motor vehicles now being operated in the United States. In view of predictions made this week that automobile sales next year would exceed sales of the 1965 models and the projection for future sales, we can anticipate that the hazards posed by automobile exhaust fumes will increase markedly unless legislation such as S. 306 is adopted and implemented.

Mr. Chairman, this problem is intense in cities such as New York where we have a high concentration of population and an ever-increasing reliance on automobiles. The problem is especially acute for

our older citizens who are more prone to respiratory disorders.

Passage of this legislation is vital to the people I am privileged to represent, but I must confess that I am not satisfied that the bill goes far enough, so far as the Federal Government's obligation is concerned.

I think it unfortunate that there is no statutory prohibition against Federal Government purchase of vehicles which do not conform to minimum health standards. There is no provision for controlling pollutants from Federal buildings and installations. There is no provision for changes in the Internal Revenue Code to give tax incentive for expenditures and increased investment for the acquisition, construction, or installation of air pollution devices.

I heartily support the pending bill because I regard it as an excellent start in the effort to reduce and control air pollution, but additional legislation will be needed to accelerate the program.

Mr. CUNNINGHAM. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, as I have listened, and I might say I listened with great interest, to the extended discussion, explanation, and debate on this so-called Clean Air Act, I have felt impelled to express my appreciation to the committee and its chairman for reporting out this legislation.

I do not believe there is any question about the fact that one of the most serious problems facing our society today is the increasing contamination of our environment and air pollution, especially that emanating from motor vehicles which certainly represents a threat to public health.

Mr. Chairman, I have been particularly interested in the fact that title II was added to this bill, having to do with the disposal of solid waste.

Mr. Chairman, the congressional district which it is my honor to represent, the city of Seattle, has been struggling for months seeking to arrive at the most efficient and effective way to dispose of its garbage and waste.

Mr. Chairman, I was particularly gratified to have the chairman of the committee, the distinguished gentleman from Arkansas [Mr. HARRIS], state that this bill basically was a bill to develop research and help the local communities with this problem, but not tell them what to do.

Mr. Chairman, I realize that this is a very difficult problem and that each community should study different ways of meeting it.

I repeat I am very gratified to have the chairman of the committee state that this is basically a research bill and not one of the Federal Government dictating to local communities as to how best to meet this problem.

Mr. CUNNINGHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I think I ought to make the observation I am just as anxious to be home and not in Washington on this Friday afternoon as anyone here. Obviously, most of our colleagues have chosen not to be here. Like the rest of us present, I have canceled various speaking engagements. Yet this bill is a serious one. It involves in part II, $90 million.

Before I go to the critical aspect, let me say I am very much impressed with the work done by the committee, the clean air part of the bill, part I.

I think there have been some difficult problems here, and the committee, along with the other body, has done an excellent job. I say that on the basis of the debate on the bill, and also the hearings on the Clean Air Act amendments. What disturbs me is the statement in the minority report, found on page 66. I presume this is a fair statement:

> Section 202 of title II—solid waste disposal—is a long introduction which attempts to rationalize and justify the whole scheme. This language was not in the bill passed by the other body or in any House bill, but was suggested to the committee by the Department of Health, Education, and Welfare after the hearings.

I presume, therefore, that the committee did not hold hearings on section 202 and, looking at the committee hearings, I find about the extent of the comment on the solid waste proposition consists of letters put in the record, but no cross-examination of any of the witnesses which, in my judgment, is required if there is to be a study.

I originally was attracted to the problems by the language on page 7 of the committee report itself, where this statement was made—and I am going to read it. Frankly, I would like to know its verification, referring to the problems of solid waste disposal:

> This is a challenge which State and local governments cannot meet without assistance from the Federal Government. The handling and disposal of solid wastes are costly operations that strain the resources of State and local agencies.

That is the issue and there has been no substantiation for the statement. I must say to the Members of the House it is the Federal income tax that is under great pressure as far as strain is concerned. It is the Federal Government that is not meeting its bills, and we have to continue to increase the debt ceiling. There certainly has been a great strain on local and State governments with their resources, but they have been meeting their obligations. I was curious to know how the committee could have reached this conclusion that the State and local governments cannot meet this problem without assistance from the Federal Government.

Then, going on, the following statement is made:

> Approximately $3 billion a year is being spent today for refuse collection and disposal through services provided by local governments and private entrepreneurs.

I suspect it is probably about that amount of money.

The next statement is the one I want to point up:

> In contrast, less than $500,000 annually is being spent to improve methods of solid waste disposal.

That is something that is surely being pulled out of the air, because there are some companies that spend that amount of money themselves in trying to figure out improved methods of solid waste disposal. I can tell you that the $500,000 figure is inaccurate, that it is closer to hundreds of millions a year spent trying to improve the methods of solid waste disposal.

I have introduced bills to give tax credits to private enterprise that will put money into the kind of capital investment necessary to take care of disposing of waste that goes into streams and I might say the disposition of solid wastes. Although a great deal of money is being spent in this area, a great deal of it I will say is on research and development, but a great deal more needs to be spent. In my judgment it would be spent if we would enact legislation similar to the 1962 tax incentive act to encourage our private corporations to invest in modern machinery and get rid of obsolescence. This act gave them an extra tax credit—a tax credit I might say beyond normal depreciation schedules. If this is a good policy, I argue that it would be a better policy to move forward in this area of solid waste disposal in the same fashion.

I do note in the committee report in the letter of the Department of Health, Education, and Welfare which appears on page 20, there is reference to some bills that have been introduced in the tax incentive area—but they just go ahead and dismiss it by saying:

> However, we defer to the views of the Treasury Department as to the consistency of the proposed amendments with national tax policy as well as the technical adequacy of these provisions.

Well, there are many ways to skin a rabbit; if we want to move forward in our society, and we all do, to solve this great problem of solid waste disposal, I think the committee has accurately described it, as an increasingly great problem. This needs to be thought of from many angles. We need to develop what really is being done in the private sector and what is being done by our local and State governments rather than simply beg the question as is done in the committee report by saying this is a challenge which State and local governments cannot meet without assistance from the Federal Government.

I again want to call attention to what is increasingly proving to be true, the Curtis corollary to Gresham's law—Gresham's law saying that bad money draws out good money. The Curtis corollary simply says that Government money drives out private money. It does not have to do this but if we are not careful, and we have not been careful, when we move forward with Federal programs instead of encouraging and benefiting the private sector and local and State governments, we will bring about a situation that will lead to the deterioration of the private sector and local and State governments. There will be a substitution of the Federal Government for the local and State governments and private initiative.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may require. I do so because I think it is important to comment on some of the statements made by the gentleman from Missouri.

Let me say I appreciate the gentleman's bringing these points to the attention of the committee. First I would refer to the tax credit matter. It is true that the statement which was included in the Department's report deferred to the Treasury. I would remind the gentleman that the Treasury has also given us a letter which is included in the report on pages 50 and 51 and I think it would be important to take note of that.

In the second place, with reference to tax credits, that is a matter that is with another committee and with which we cannot deal in connection with this program. Like the Department when it deferred to the Treasury, we of the Interstate and Foreign Commerce Committee, defer to the Committee on Ways and Means that has jurisdiction over these problems.

Next, the gentleman from Missouri, I believe, did give the impression, though not intentionally, in reading the language in the report about the challenge which the State and local governments cannot meet, that this has reference to the entire problem of waste disposal.

The gentleman did not include in the statement the first sentence of the paragraph, occurring immediately prior to the sentence he started off reading. The gentleman referred to the challenge and its importance. The first sentence states:

> In the opinion of the committee, immediate action must be taken to initiate a national program directed toward finding and applying new solutions to the waste disposal problem.

That is the challenge which the State and local governments are unable to meet. It is not the actual disposal program itself. It is finding new methods and techniques dealing with the problem.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Missouri.

Mr. CURTIS. The gentleman is making a proper point. Indeed that is so. But you then go on, in the final sentence, to say:

> In contrast, less than $500,000 annually is being spent to improve methods of solid waste disposal.

That is the point I was contesting.

Mr. HARRIS. The gentleman did make that very appropriate point. We did not intend to convey the impression that that amount was all of the funds being spent in that field. We had in mind that this amount is what the Government is spending in the field.

Mr. CURTIS. I see.

Mr. HARRIS. What we had reference to was that in the 1965 budget the total of all solid waste research would include 12 grants amounting to $393,747. We did not include or attempt to include what was being spent in the private sector.

Mr. CURTIS. Mr. Chairman, will the gentleman yield further?

Mr. HARRIS. I yield.

Mr. CURTIS. I thank the gentleman. In other words, that is what the Federal Government has been spending.

Mr. HARRIS. Yes. That is the information we intended to convey.

Mr. CURTIS. I think the gentleman acted properly in directing attention to that sentence I did not read. I was not trying to confuse the matter. The gentleman has clarified it.

Mr. HARRIS. Yes; I understand thoroughly. I thank the gentleman for calling the point to the attention of Members, particularly the reference to the total amount of the research expenditure, which is included in the report. We intended to mean the amount of Government funds going into that field.

Mr. CUNNINGHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CHAMBERLAIN].

(By unanimous consent, Mr. CHAMBERLAIN was granted permission to speak out of order.)

SHIPPING TO NORTH VIETNAM

Mr. CHAMBERLAIN. Mr. Chairman, yesterday the other body acted on the foreign aid appropriations bill and I have asked for this time to direct the attention of my colleagues to a change in the House-passed version which I regard as being of major significance. I refer to the amendment adopted in the House to prohibit aid to any nation permitting ships under its flag to carry cargoes to North Vietnam.

By way of background, it will be recalled that such appropriation was included in the authorization bill and it, too, was deleted by the other body. In conference, language was agreed upon to the effect that the President should "consider denying aid" to any country whose ships under its registry were trading with North Vietnam. You will recall that I then protested the acceptance of such a change because it really did not even amount to a slap on the wrist. More recently, during our debate on the foreign aid appropriations bill, I indicated my intention to offer an amendment to prohibit aid to any country trading with North Vietnam and in the very same paragraph in which we prohibit aid to countries which are trading with Communist Cuba. During the course of my remarks, the gentleman from New York [Mr. ROONEY], advised that he, too, intended to sponsor such an amendment. I commended him and assured him of my support. At the proper time, the gentleman offered his amendment and it was agreed to without dissent.

Yesterday, the other body in its wisdom refused to accept the House language but included a watered-down provision which in essence states that it is the sense of Congress that aid should be denied to countries that fail to take appropriate steps to prevent its ships from trading with North Vietnam.

This, in effect, makes it possible for aid to be continued to several countries whose ships are helping to supply North Vietnam. In other words, the acceptance of this language will maintain the status quo. This is what disturbs me, for it is that status quo that has permitted this trade to come into being, it is this status quo that has permitted this trade to flourish, it is this status quo that enabled 401 ships—more than a ship a day—from free world nations to carry their cargoes to North Vietnam last year.

I think it is time the Members of this House and the other body, and the American people as well, know just what this administration thinks of this trade and what can be expected if we in the Congress do not take some strong and positive action to stop it. Back in July, shortly after returning from Vietnam with the members of a special subcommittee of the Armed Services Committee, I addressed a letter to the President asking that he give this situation his urgent attention. In the fullness of time, the letter was referred to the State Department and weeks later, I received a reply from their congressional liaison office that I feel every Member of this House should know about.

Mr. Chairman, I want to discuss this letter from the State Department, which was dated August 12, 1965, and I point out again that it should be of more than casual interest because it was in response to a communication addressed to the President of the United States asking for an explanation of the U.S. policy on free world shipping to North Vietnam. I reject outright the pathetic response made with respect to the serious and urgent question of free world shipping to North Vietnam.

This letter from the State Department, which I shall include in its entirety, with related correspondence, at the conclusion of my remarks, says, in essence, that this trade is really not too important for three basic reasons:

First. That "no military or strategic shipments are moving to North Vietnam on free world vessels" and that imports are nonstrategic and not critical to the North Vietnamese economy.

Second. That a great majority of free world ships arriving in North Vietnam are in ballast, chartered to pick up cargoes for free world destination.

Third. That to the extent sea transport is necessary, this trade could be fully accomplished with Communist-flag vessels.

Mr. Chairman, I reject every single one of these points and am alarmed to realize that anyone in a high position in the State Department would seriously offer such lamentable excuses in defense of trading with the enemy.

Let me reply briefly to each of these.

To say these ships are not supplying the enemy is downright preposterous. In fact, it is untrue. This is war. The President has said this is real war. There is no argument about it. North Vietnam has been identified time and time again by our Government as the enemy. There is no argument about that. In a state of war, no matter what goes into the enemy's country contributes to its war effort. Whether a piece of merchandise can be classified as strategic or nonstrategic does not matter, for these are nebulous terms at best, and in some way, all trade can contribute to that country's economy, its stability, its ability to divert attention to other products, its capacity to trade with other nations, or

even its ability to release certain segments of manpower into other pursuits. Everything and anything that helps a country, helps in any way, helps that country to engage in and carry out its nonpeaceful pursuits. I cannot understand how our Department of State can face the realities of the present wartime situation and draw the conclusion that goods entering the ports of the enemy are not helping the enemy.

Even if we accept this distinction between strategic and nonstrategic goods, we must view with astonishment the fact that the conference report accompanying the Foreign Assistance Act of 1965 told us bluntly that free world ships carry 45 percent of North Vietnam seaborne imports and 85 percent of its seaborne exports. And to think our official policy is to see this as nonhelp to the enemy. To stop such flow of goods would serve one very useful purpose in bringing about a solution to the war effort in Vietnam; namely, it would make North Vietnam's supply problems just that much more difficult. It would have a nonmilitary side effect too in that it would prevent these merchants of war flying the flags of our friends from becoming financially fat while Americans die in Vietnam.

If it is the manifest will of this country to use its strength in a responsible manner to decrease the ability of the North Vietnamese to aid and abet the Vietcong, then it becomes obligatory upon us to do something about the trade with North Vietnam.

The second excuse the State Department recites to substantiate its claim that this shipping is unimportant is so ridiculous on its face that it can be summarily dismissed. If it is so that a great majority of the free world ships arriving in North Vietnam are in ballast, it likewise disturbs me that it is our friends who are helping the enemy to carry on and maintain its foreign trade, and ease its balance-of-payments problems by earning the exchange necessary to purchase whatever may be needed to keep the war going. It is elemental that you do not assist an avowed enemy in any way and you can be sure that North Vietnam with all its problems would not be exporting anything that was not to its advantage to export.

The third point the State Department made to me was something of an indiscrete one; namely, that even if our efforts to stop allied-flag vessels from trading with North Vietnam were successful, the Communists have the capability to pick up the slack. So why do we not give them this opportunity, instead of willy-nilly saying, if the free world stops trading, the Communists will get the business? That they can move the goods carried by these ships overland is ridiculous as well, because our bombers are making land routes extremely difficult to use. When railroads and rail centers are knocked out, it only increases the importance of the ports.

The State Department claims that this trade has been diminishing and their efforts to curb it have met with some success. This may be so, and I hope it is. I hope they will have more success, for this is absolutely necessary. It is claimed that free world shipping to North Vietnam during the first half of 1965 has declined as compared with the first half of 1964, but we are not told how much. With the wrath of the U.S. Air Force that has been unleashed in North Vietnam, I should think it would. As a matter of fact, I would think it would be reduced far more than it has been. No one likes to talk about the extent of this trade. It is just too unpleasant. During the first 6 months of this year, 75 free world ships called at North Vietnam ports and I say to you that this is 75 too many. The secret reports reflect a much greater volume of trade. But what Members of Congress and what the American people should know is that the ships of free world nations calling at North Vietnam outnumber the ships arriving from Communist countries. This is beyond comprehension.

I would urge my colleagues to read this letter from the State Department with care and ask yourself whether or not we should leave this problem in the hands of those who want to maintain the status quo. Do we want to say that it is the sense of Congress that no aid should go to countries trading with North Vietnam but that we in the Congress are too timid and do not have the courage to stop it? Why, I ask, should we have a prohibition in this bill denying aid to countries that would trade with Castro and then have a milder treatment for those shipping to North Vietnam at a time when we have more than 125,000 of our crack combat troops in Vietnam and are in daily contact with the enemy. This will be hard to explain to the folks at home who are putting up their tax money for this foreign aid.

I most respectfully and most sincerely urge our colleagues who will be serving on the conference committee to insist upon the amendment adopted by this House that would prohibit any foreign aid to any country trading with North Vietnam. To do any less when American lives are being lost, when American planes are being shot down, and when our American bases are being attacked, would not be keeping faith with the American people. Some means must be found to stop this free world shipping to North Vietnam. I urge your support to make certain that this is done.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 20, 1965.

Hon. LYNDON B. JOHNSON,
The President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As we become more deeply involved each day in the struggle in South Vietnam, with approximately 75,000 American servicemen in the area now and our commitments mounting, I am astounded by the continuing reports of the shipping being carried to North Vietnam by vessels flying flags of free world nations.

Unclassified reports from Defense Department sources indicate that 401 free world ships arrived at North Vietnam ports during 1964 and that there have been 74 such arrivals so far this year, with June figures incomplete. Even more shocking are the classified reports which I implore you to study with care. I particularly ask that you compare the shipping carried by our friends with that of the Communist-bloc countries. This defies any explanation.

I feel very deeply that something more must be done without delay to stop this supplying of the enemy and that this is a matter that needs and deserves your urgent attention.

Respectfully yours,
CHARLES E. CHAMBERLAIN.

THE WHITE HOUSE,
Washington, July 21, 1965.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: May I acknowledge your letter of July 20 to the President regarding free world shipping to North Vietnam.

Your letter is receiving careful attention and will be responded to in the near future.

Sincerely yours,
LAWRENCE F. O'BRIEN,
Special Assistant to the President.

DEPARTMENT OF STATE,
Washington, August 12, 1965.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives.

DEAR CONGRESSMAN CHAMBERLAIN: Thank you for your letter to the President of July 20 regarding free world shipping to North Vietnam. Your letter was referred to the Department because the problem of free world commerce with North Vietnam has been given intensive study here and has been the subject of continuing discussion with the countries involved.

Your concern at continued voyages by free world ships to North Vietnam is understandable. The presence of free world vessels in North Vietnam ports is, as you imply in your letter, a gage of the extent of free world support for U.S. policies in that area. For this reason, we would certainly prefer that all such voyages stop. The Department of State is, therefore, making continuing efforts to reduce free world participation in shipping to North Vietnam. The NATO countries that have been involved in the trade are being urged to take steps to remove their vessels from that trade. Similar high-level approaches are being made to non-NATO countries involved in this shipping.

These efforts have met with some success and the number of free world vessels in the trade has been diminishing. Free world shipping in the Vietnam trade during the first half of 1965 declined as compared with the same period in 1964. At the same time, of course, Communist-flag vessels in that trade have increased. We believe we can anticipate a continuation of this trend. It is a direct reflection of the fact that even if all free world vessels were removed, the Communist countries have the capability to carry all North Vietnam's imports and exports in their own ships and planes and over the rail link with Communist China.

At the same time, we must recognize that we shall have difficulties in persuading other free world countries to remove all their ships from this trade. The principal problem will be the absence of a legal basis for other governments to require their flag vessels to withdraw from Vietnam waters. With the removal of Japanese-flag ships (previously the second-largest category) from the North Vietnam service since last April, small British-flag ships of Hong Kong registry constitute the majority of free world ships trading with North Vietnam. The British Government maintains that it has no legal authority to control the movement of British-flag vessels to countries with which the United Kingdom is not at war. Other governments face similar limitations of legal authority. These governments are, however, willing to take such action as they can with-

in their respective administrative frameworks to meet U.S. wishes.

In addition to the efforts by other free world countries to remove their ships from the Vietnam trade, there is also the fact that for all practical purposes, North Vietnam waters are a zone of hostilities. Shipowners are exhibiting reluctance to permit their vessels to continue in this trade and are taking advantage of war zone clauses in their charter contracts to cancel voyages to North Vietnam ports. Crews are reluctant to sign on, and the rates for shipping and insurance are moving up.

Concerned as we are at the continuation of free world voyages as a matter of principle and policy, we also recognize that there are a number of considerations that reduce the importance of the contribution that these voyages makes to the "supplying of the enemy" about which you express concern in the last paragraph of your letter.

1. In the first place, we are very sure that no military or strategic shipments are moving to North Vietnam on free world vessels. All the evidence is that most military equipment is brought into North Vietnam over rail lines from the Communist Chinese mainland. Some small quantities of ammunition and arms may be moving on Chinese coastal vessels, but no large or significant military shipments are moving to North Vietnam by sea. Almost all petroleum products are being brought in on Communist-flag vessels.

2. Recent evidence indicates that the great majority of free world ships arriving at Vietnam ports are in ballast, chartered to pick up cargoes—principally of coal and apatite—for free world destinations.

3. North Vietnam's foreign trade is already heavily oriented toward Communist China and the Soviet Union, and this trade can move entirely by land, if necessary. In any event, to the extent that transport by sea is necessary, it could be fully accomplished in Communist-flag vessels.

4. Imports into North Vietnam from the free world are, insofar as we can determine, nonstrategic in character and are not critical to the North Vietnamese economy.

I hope that this explanation of our thinking and of the actions we have undertaken will be useful to you. If the Department can be of further assistance, please let me know.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman from Kansas.

Mr. MIZE. I received a similar letter from the State Department in answer to a letter which I sent about the same subject. I got the same wishy-washy answer. I am in complete accord with the gentleman's position. I wish to heaven we could get other Members of the House to be as disturbed about this vital matter as we are.

Mr. CHAMBERLAIN. I thank the gentleman for his contribution.

Mr. KING of Utah. Mr. Chairman, I wish to express my support for S. 306 on behalf of the smaller and medium-sized cities and counties of my district. The municipal and county officials of my district are confronted with the overwhelming problem of disposing of solid wastes, and they are, therefore, extremely interested in our action on what is known as the Solid Waste Disposal Act portion of this legislation.

During my travels throughout my district, I have noted that there are far too many open, burning dumps scarring the countryside. However, I recognize fully that the local governments of such communities as Provo, Salt Lake City, and Orem lack the financial resources to research the disposal of this waste material by more suitable methods. This legislation, if acted upon favorably, will authorize the expenditure of funds for the development and demonstration of new and less expensive solid waste disposal techniques. Even if the cities and counties of my district do not actively participate in the program, this legislation will help develop and make available new techniques which will be available to all cities. The new techniques should make solid waste disposal less expensive and more effective for all. For these reasons I urge the adoption of S. 306 as reported by the Committee on Interstate and Foreign Commerce.

Mr. HELSTOSKI. Mr. Chairman, the Clean Air Act of 1963, Public Law 206 of the 88th Congress was signed by President Johnson on December 17, 1963, and set into motion a process of stimulating our national efforts to control and abate the pollution of our Nation's air.

Although this act was far reaching in its effects, such as financial aid for control programs, expanded research into the sources and control of air pollution from the gaseous emissions of automobiles and fuel consumption of industrial plants, it was only the beginning of a program which requires the attention of Congress to further enhance the effectiveness of the present law.

The legislation which we have before us today would help meet the objectives as proposed by President Johnson that we end "the poisoning of the air we breathe" and called upon us to "prevent the pollution of our air before it happens."

The millions of motor vehicles which jam the highways and expressways of this country are the main culprits in the pollution of our air and some efforts should be taken to reduce these pollutants.

While our national air pollution, at the present time, is due chiefly to automobile exhausts, smoke discharges from industrial plants, and disposal of solid wastes contribute much to the overall picture of air pollution. Our increasing population, the expansion of urban and suburban areas, the additional consumption of energy-producing fuels and industrial development and expansion have all added to the creation of solid wastes which are disposed of by burning in open dumps or land fills. These methods are a prime factor in creating a polluted atmosphere for miles around such a disposal facility.

With the rise of cities, human beings have been forced to think of air as a resource, for air pollution is a sickness of the cities. It comes about almost entirely through the burning of fuels and wastes. The cure for the worst kinds of air pollution is to prevent noxious combustion products from entering the air. But the laws of physics make it virtually impossible to keep carbon dioxide, which is the principal product of combustion, out of the air.

It has been predicted that by the year 2000, the amount of atmospheric carbon dioxide may have increased by about 50 percent; and many believe that this will have a considerable effect on the world's climate, but nobody has been able to make a convincing guess about just what that effect will be.

The effects of air pollution on the lives and well-being of our population are numerous and burdensome. Air pollution endangers public health, damages and destroys property, offends the senses, and frustrates the universal desire for clean and comfortable surroundings.

The past decade has seen a change in the public's attitude toward air pollution. Formerly the tendency was to deplore the contamination of the air but to regard it as one of the inescapable adjuncts of urban life. Now there is a growing realization that our polluted air is more than a nuisance, and presents hazards to health, and that in any case the pollution of the air will grow worse unless something is done about it.

The legislation before us today will provide for the necessary programs to combat air pollution and aid in the proper disposal of solid wastes, which contribute greatly to contamination of the air.

Another problem which we must face and make every effort to correct is the emission of fumes and smoke from industrial plants. This is a major factor in the pollution of air in the communities in which such industry is located and very costly to the residents of these areas because of the corrosion effect on buildings and paints.

The soot, ash, and chemical components of the smoke and fumes emitted by the smokestacks of industrial concerns cause many respiratory ailments. We must take action to make sure that these industrial concerns will be the beneficiaries of some incentive to install devices which will lessen or completely eliminate this particular source of air pollution.

In my own district, the Ninth of New Jersey, there are 39 separate communities. Each of them has the same common problem of combating air pollution, which constitutes a substantial everyday experience. Any assistance which the Federal Government can give these communities will be a great step forward in the development of systems which will curtail or greatly diminish the air pollution created by harmful emission of various types of pollutants.

Any money which the Government will spend for research of this topic is money well spent and can be justified when the research is for the benefit of all the citizens of this country.

Polluted air combined with stagnant air is not only costly, but hazardous. Such a combination, by reducing visibility, creates a very real danger to air and land transportation.

As an example, the New Jersey Turnpike Authority is compelled to close that superhighway at least 20 times a year when smog aggravates conditions already made bad by weather situations. Where the turnpike continues through

the highly industrialized northeast section of the State, smog causes many motorists to miss their desired exits.

Last November, a two-car collision on the turnpike was blamed directly on poor visibility because of smog. And, there were many incidents where car pileups occurred because the visibility was reduced to zero. And who was the villain in these incidents? Smog—a combination of smoke and fog.

Aircraft operations out of Newark were also hampered by reduced visibility. As far back as 1946, a survey was conducted on this matter and it showed that smoke, alone or in combination with fog, lowered the visibility to less than 6 miles every second day of the year.

Aggravation of poor weather conditions by pollution results in delays in landings and takeoffs at busy airports. At times entire flights are cancelled because of the difficulty of making a safe takeoff due to poor visibility. This is an inconvenience to the traveler and very costly to the carrier.

The average individual, on the streets of any community in these United States does not care to take up the fight for the principle of clean air. We are surrounded not only by dirty air but by public apathy. Because of this, we as Members of Congress, representing the people of the entire United States should take the initiative and provide for legislation which will clean up the air we breathe at the rate of 15,000 gallons per day.

For a richer and healthier life, under clean skies, we should take a three-step approach to this problem.

First. Impress upon the automobile manufacturers to install antipollutant devices upon every motor vehicle leaving the factory. If this cannot be done on a voluntary basis then this Congress should enact legislation to make such installations mandatory.

Second. Take steps to find a method to reduce the sulfur content in fuels used by industry which contribute so much to the pollution of the air around these industrial centers.

Third. Waste disposal problems should be solved in such a way so as to end the overburdening of our cities' incinerators and the open burning of rubbish.

If we do anything less than this we are neglect in our duty to the people of our Nation. I am sure that the legislation before us at this time will be far reaching toward finding a solution to this problem to provide a healthier climate around us.

Mr. GIBBONS. Mr. Chairman, today this House has an opportunity to take a significant step forward in the battle to eliminate air pollution.

The great 89th Congress can add another major accomplishment for the good of the American people to its already lengthy list. For today, we deal with the most basic ingredient there is—the very air we breathe and its pollution which causes untold human suffering and the loss of millions of dollars each year in property and crop loss.

Today, we have before us for consideration, S. 306, which would direct the Secretary of Health, Education, and Welfare to prescribe a set of standards requiring all cars manufactured or imported into the United States, to be equipped with exhaust-control devices which will limit the amount of pollutants emitted into the atmosphere.

There is an obvious national need for this legislation. For there is a mountain of scientific evidence linking air pollution to the aggravation of heart conditions, and increases in susceptibility to chronic respiratory diseases, particularly among older persons, eye irritation, and even rickets. More recently, there is growing evidence that air pollution may play an important role in the growth of cancer among the American people.

This bill, reported out by the House Interstate and Foreign Commerce Committee, last month, would empower the Secretary of Health, Education, and Welfare to establish these standards for control of air pollution caused by gasoline and diesel engine exhaust. No time limit was set in the bill reported by the committee, but the standards are to be established as soon as practicable.

After establishment, manufacturers of automobiles must apply to the Secretary of HEW for certification to see if their products conform to the standards. The standards must be met, either by redesign of engines, or application of devices. The bill, as reported, sets penalties if these standards are not met.

Mr. Chairman, air pollution is a major national problem. It is a curse, affecting the lives and the fortunes of untold millions of our fellow Americans. Air knows no State lines or city limits. Economic damage from air pollution amounts to as much as $11 billion annually. That is more than 10 percent of the entire money we spend in 1 year to run the Federal Government.

The State of California, to its great credit, through legislation, has had the foresight to establish such standards for all cars manufactured or imported in that State with the 1966 model year. The question which I should like to pose is this: Why, if the American auto industry is required by one State to implement such standards, should not the entire country have the benefit of them also?

Cars take us everywhere today. They criss-cross State lines in hours or even minutes. Here in the vast complex centered about the Nation's Capital, with the help of our wonderful Federal Interstate System, an individual can cross into three different jurisdictions, Virginia, the District of Columbia, and Maryland in mere seconds.

We have wasted far too much time as it is. I, for one, do not believe we can afford to waste any more. Far too much of far too great a value depends upon this course of action. The American auto industry has the technical know-how to do the job. They have had to do it in the State of California. Why should not all the American people have the benefit of this knowledge?

Earlier this week, this House took action for more effective prevention of pollution of our Nation's waterways. Today, we have a great opportunity to go on record as firmly committed to fighting the pollution of our most precious ingredient for life itself, the very air we breathe.

Mr. Chairman, I look upon this legislation, not as Federal interference. Rather, I look upon it as a sane, national policy approach to a problem of national scope.

As author of legislation similar in nature to S. 306, I strongly urge my colleagues to support this bill's passage. Poisonous air threatens to choke this Nation. Let us fight back. Let us overcome this problem.

Mr. HOWARD. Mr. Chairman, today we are being given the opportunity to pass one of the most important pieces of legislation in the history of this body, the Clean Air and Solid Waste Disposal Act.

This Congress has made great strides in such areas as medical care for the aged, water pollution control, and civil rights. Yet, there can be no pride in our past achievements unless we meet one of the most serious challenges which faces this country today—air pollution.

On June 28, of this year I introduced H.R. 9479 which would make it mandatory that a number of new devices, including an air-pollution control unit, be included on all new cars. Passage of this bill today will not satisfy all of the provisions of my legislation but it will force compliance with the air pollution control section.

I draw upon testimony taken in my own State of New Jersey to show that even the automobile manufacturers favor such Federal legislation as we are to vote on here today.

In May a legislative commission concerned with air pollution control in New Jersey heard testimony from Karl M. Richards of the Automobile Manufacturers Association. Mr. Richards said that chaos would result if the automobile industry had to meet different standards as proposed by different States. Therefore, Mr. Chairman, I think this indicates that we must handle this problem at the Federal level today.

In our society we are always concerned with the living conditions of those in this country and abroad. We commiserate with those less fortunate. And yet, we allow our entire Nation to live in an open-air sewer, with some areas of concentration worse than others.

Today there are more than 85 million motor vehicles in use in the United States and each and every year that figure increases. Pollution-control devices on such vehicles would not end our air pollution problem but it would go a long way toward easing this problem.

There are those who will not support the bill, claiming they are not against air pollution control but merely want "more study." In my opinion "more study" is an excuse to slow down or to completely postpone the legislation we need today.

Only last month, meteorologist Morris Neiburger, a University of California professor, had some shocking facts about air pollution.

He said:

All civilization will pass away, not from a sudden cataclysm like a nuclear war, but from gradual suffocation in its own wastes.

This professor predicted that if mankind continues as it is filling the atmosphere with the poisonous fumes of automobiles, it will make the planet uninhabitable within 100 years.

I do not quote this professor to frighten anyone into voting in favor of this legislation. I quote him and list a number of other reasons to dramatize how serious a problem air pollution is in this great Nation today.

I urge everyone in this House to support this bill today and all other effective antiair pollution measures which come before us in the future.

Mr. ROOSEVELT. Mr. Chairman, I rise in support of the Clean Air and Solid Waste Disposal Acts. As my colleagues know, I am not an engineer, nor am I a specialist in the various ways of disposing of the mountains of solid waste accumulated each day in our country. I became interested in the subject, however, because the problem is daily becoming more acute in California and in other States which are experiencing rapid growth in terms of population, agriculture, industry, and commerce.

In statements presented to the House of Representatives at the time I introduced legislation on solid waste disposal last year and again early in this session, I described the national solid waste situation in some detail, based on information I had received from conversations with, and through reading articles by, many people who know most about this problem. I learned that we have within our means the technological resources to grapple with the problem and work toward a solution, and I am very gratified that the bill now under consideration gives recognition to the urgency for immediate attention.

Mr. RYAN. Mr. Chairman, in this country we can no longer afford to exploit our natural environment and waste its resources, whether those resources be our forests, our soil, our water—or our air.

We have known for some time that air pollution is a killer. It is a catalyst for some of our most serious respiratory and other diseases; it is an allergen; it is an irritant. The contaminants which pollute our air are not only dangers to our health; they cause economic losses amounting to nearly $12 billion per year in damaged property and crops. Air pollution affects our weather, our appearance, and even our outlook.

At first air pollution was tolerated out of sheer ignorance. Now it is tolerated out of an unwillingness to spend the money necessary to combat it.

Air pollution shortens our life span, darkens our skies and dims our landscape.

We cannot afford not to combat it.

In New York City there is no such thing as a breath of fresh air. We have the dirtiest air of any major city in America. Sixty tons of large particles fall on every square mile every month in our city. We breathe 50 percent more sulphur dioxide, a potential killer, than residents of any other major city.

Every day 500,000 automobiles come into New York, spewing hydrocarbons, nitrogen oxides, and aldehydes into our air. These automobiles cause between a third and a half of our air pollution. Many of these automobiles are from out of State, and New York needs help in controlling the exhaust from these motor vehicles.

We are not alone. All major cities have this problem. With a burgeoning and mobile population, air pollution cannot be adequately controlled or finally eliminated by sporadic local action.

Mr. Chairman, the bill before us today to amend the Clean Air Act of 1963 is a necessary adjunct to the program to arrest and eliminate air pollution.

This bill will enable us to begin the elimination of pollution from motor vehicles by the encouragement of research and the establishment of standards for minimum pollution. It will authorize the Secretary of Health, Education, and Welfare to accomplish that task and to assist in the institution and conduct of research toward better methods of disposing of solid wastes from industry and domestic living.

Large metropolitan areas like New York are having increasing difficulty finding ways of disposing of vast quantities of waste materials from home and industry. Our yellow-green rivers and brown skies are adequate testament to that difficulty.

In addition to the ordinary 5 million tons of refuse which New York must dispose of every year, the city has to find ways of disposing of another million tons of construction wastes. Large timbers and concrete blocks, and other materials do not lend themselves to use as land fill. Shredding, breaking and burning, the current methods, add cinders and pulver to the air and refuse to the sea.

There is an urgent need for new solutions.

Earlier this session, the President sent to the Congress a persuasive message on the need for water and air pollution control and other conservation programs. He stated:

> The increasing tempo of urbanization and growth is already depriving many Americans of the right to live in decent surroundings. The modern technology which has added much to our lives, can also have a darker side. Its uncontrolled waste products are menacing the world we live in, our enjoyment, and our health.

I have spoken on this subject many times, dealing with the acute problems of New York in particular. It is essential to control pollution from motor vehicles. This bill will help to control it. We need research for good economic methods of effecting that control. This bill will provide assistance for this research.

We need solutions to our solid waste disposal problems. This bill will provide the assistance for that research.

At last Congress has recognized this problem and begun to deal with it. The problem becomes more complex, difficult and expensive with every day that passes. This legislation will begin to cope with the disposal of wastes that cause 50 percent of our air pollution.

Mr. Chairman, it is time we stopped killing ourselves.

Mr. TUPPER. Mr. Chairman, it is most satisfying to have the privilege of voting for legislation that will improve the purity of the air we breathe. For far too long we have allowed our atmosphere to be polluted and the health of our citizens endangered. For too many years we have permitted automobile manufacturers to sell a product that emitted the most harmful agents into the air.

There is no subject that deserves more attention than the matter of environmental pollution. The hour is getting late and Congress must do much more to attack this serious problem. This legislation, S. 306, is desperately needed, and we owe it to those we represent to support it wholeheartedly.

Mr. REUSS. Mr. Chairman, I rise in support of S. 306, the Clean Air and Solid Waste Disposal Acts. I particularly want to stress the importance of those sections of title I of the bill, which amends the Clean Air Act of 1963, authorizing the Secretary of the Department of Health, Education, and Welfare to establish standards for controlling the emission of air polluting substances from the engines of automotive vehicles.

Polluted air in metropolitan areas is a health hazard which cannot be ignored any longer. Most frequently it is the automobile which is the predominant contaminator. As the automobile population grows the problem becomes more acute.

The immediate problem is serious. One substance from automobile exhaust that becomes a part of the air is a hydrocarbon known as benzpyrene, which tends to induce cancer. Carbon monoxide and oxides of nitrogen, both of which have varying degrees of ill effect on health, are also emitted into the air by automobiles. Breathing New York City air, for instance, is like smoking two packs of cigarettes a day. Furthermore, lead poisoning can result from the breathing of air polluted by the exhaust of automobiles burning leaded gasoline.

The long-term consequences could also be serious. Prof. Morris Neiburger, of the University of California, at Los Angeles, an expert on air pollution, has predicted that polluted air could, over a long period of time, smother civilization to death unless the problem is brought under control.

Therefore, the bill before us today is extremely important to the health and welfare of Americans. Air pollution by automobiles needs to be reduced as much as possible. This can only be accomplished if the Federal Government sets standards applicable throughout the country. The bill should be enacted promptly.

PROPOSAL WILL NOT ELIMINATE THE PROBLEM

However, we would be deluding ourselves if we believed that the enactment of this legislation will completely eliminate automotive air pollution. No device is currently available, nor is one anticipated, which will totally eliminate the emission from automobiles of substances which pollute the air.

In a paper presented at a panel discussion on air pollution at the board of directors meeting, National Petroleum

Refiners Association, Washington D.C., on September 20, V. G. MacKenzie, Assistant Surgeon General, Chief of the Division of Air Pollution, Public Health Service, Department of Health, Education, and Welfare, described the problem. He said:

A limited technical capability has been developed for the reduction of certain emissions (hydrocarbons and carbon monoxide) from automobiles but for certain other pollutants no such capability is yet available. As we look into the future two elements of the problem demand action and planning:

(a) As the automobile population rises in the future there is justifiable reason for technical concern that the problems inherent in controlling hydrocarbons and carbon monoxide from the current type of spark ignition engine may necessitate the development of propulsion systems for automobiles radically different from those which are currently in use. Some estimates have been made which show that the application of carbon monoxide and hydrocarbon controls to the type of engine currently may be expected to hold the line until about 1980, after which time the increased number of motor vehicles on our streets and highways would result in a worsening of the situation.

(b) We cannot be complacent either about certain of those pollutants from motor vehicles for which we do not now have technical means of control. Prominent among these are oxides of nitrogen and lead contamination. As the great increase in the use of fossil fuels forecast for the next half century materializes, oxides of nitrogen emissions will have to be controlled; these are ubiquitous pollutants which arise from all combustion processes and are already of concern in some jurisdictions of this country.

With respect to lead contamination, studies indicate that the margin of safety against physiologic damage among some elements of our population is relatively narrow; indeed, there are those who claim that this margin is already too small. In any event when we consider the increase in the use of motor vehicles forecast for the future, simple arithmetic suggests that if we continue on our present path this margin of safety inevitably will disappear.

Maintenance of emission control devices is an additional problem. Even if the device is 100 percent effective when new, it will, like all other parts of the automobile, deteriorate with use. The device will have to be properly serviced and periodically replaced in order to insure that it is operating to maximum effectiveness. Periodic inspections by local officials could provide some control over this problem, but that would not be sufficient. The truth is that the automotive air pollution problem cannot be eliminated entirely through the approach prescribed in this legislation; it can only be alleviated.

The problem is compounded by the fact that the automobile population is growing at a rapid rate. In 1963 there were 80 million automobiles in the country. By 1980 there will be an estimated 120 million, an increase of 50 percent. The combination of these two factors—the lack of complete effectiveness on the part of the automotive devices and the rapid rise in the number of automobiles—will probably leave us no better off in 1980 than we are today. And the situation today simply is not good enough.

NEW MODES OF URBAN TRANSPORT NEEDED

The major reason that polluted air hangs so heavily over our cities is that the automobile is the principal mode of intraurban transportation. If cities had better systems of public transportation, systems that were more attractive to the urban traveler than the automobile, he would leave his automobile at home and take the public transport system.

Unfortunately, the public transportation systems available today are not more desirable than the automobile because they do not offer the same convenience. What people want in a transport system is an individual vehicle which is ready to leave when they are and will take them directly to their destination without the need of transferring. Until such a system, with vehicles powered other than by the internal combustion engine, is developed, the urban traveler will continue to rely heavily on the automobile, and we will continue to breathe air that is damaging to our health.

RESEARCH COULD DEVELOP NEW TRANSPORT SYSTEMS

There are on the drawing boards today plans for new modes of urban transport which could meet the problem. The commucar designed by a group at the Massachusetts Institute of Technology, the starrcar proposed by the Alden Self Transit Corp. in Westboro, Mass., and the teletrans system conceived by the Teletrans Corp., of Detroit, could possibly satisfy the requirements for good urban transport. But much more work needs to be done on them before they can be fully developed, or made operational. Because of the expense involved in this undertaking, it is virtually impossible for private corporations to complete this task without financial assistance from the Federal Government, but none is forthcoming under existing programs.

In order to make it possible for the Federal Government to assist in the research and development of these systems, I recently introduced legislation—H.R. 9200—authorizing a 2-year, $20 million program to achieve a technological breakthrough in the development of new modes of urban transport. The bill would amend the Mass Transportation Act of 1964, the only Federal program directed at alleviating the urban transport problem, and make it mandatory that the research be undertaken. The program contains a mandate to develop new systems which can carry people quickly, safely, and economically from place to place within urban areas, without polluting the air, and in such a way as to meet the needs of the people for individual transport, while at the same time contributing to good city planning.

To date 21 other Members have introduced identical legislation: the gentleman from Ohio [Mr. ASHLEY], the gentleman from Texas [Mr. CABELL], the gentleman from New York [Mr. FARBSTEIN], the gentleman from Minnesota [Mr. FRASER], the gentleman from Ohio [Mr. GILLIGAN], the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentleman from New York [Mr. HALPERN], the gentleman from New Jersey [Mr. JOELSON], the gentleman from Maryland [Mr. LONG], the gentleman from New York [Mr. MCCARTHY], the gentleman from New Jersey [Mr. MINISH], the gentleman from Pennsylvania [Mr. MOORHEAD], the gentleman from New York [Mr. MULTER], the gentleman from Illinois [Mr. RONAN], the gentleman from California [Mr. ROOSEVELT], the gentleman from New York [Mr. ROSENTHAL], the gentleman from Wisconsin [Mr. STALBAUM], the gentlewoman from Missouri [Mrs. SULLIVAN], the gentleman from Ohio [Mr. VANIK], the gentleman from Georgia [Mr. WELTNER], and the gentleman from Illinois [Mr. YATES].

The administration this year has committed itself to the development of new high-speed ground transportation systems for between-city travel at an estimated cost of $90 million over a 3-year period. It has also recently earmarked an additional $140 million in Federal funds for the research and development of a supersonic transport. It is time it took the same initiative in supporting a program for improvement of transportation within cities, the most critical transportation problem that confronts us today.

Mrs. DWYER. Mr. Chairman, there are many and compelling reasons for supporting the pending bill, S. 306, the Clean Air Act amendments.

Air pollution has become in recent years perhaps the most serious threat to the health, welfare, and comfort of the American people which faces us today. The contamination of the atmosphere on which we depend for lifegiving air comes from a variety of sources—auto exhaust, waste disposal, industrial powerplants, manufacturing facilities, and many others—and the damage it does to property of all kinds has reached an estimated $18 billion a year. More important, medical authorities now consider air pollution to be a cause or major contributing factor in such killing and crippling diseases as cancer, heart and lung disease, and respiratory problems generally.

In the context of the danger, relatively little has been done to control and eliminate air pollution and to conserve clean, fresh air. Consequently, the problem has greatly outpaced our meager efforts to solve it. Pollution levels, in fact, have exceeded the rate of growth of our population, which means that the average American is putting a greater volume of poisons into his and his neighbor's air than ever before.

The principal means by which this dubious record has been reached has been automotive exhaust—the source, according to almost all authorities, of approximately 50 percent of the national air pollution problem. We have today about 83 million automobiles, trucks and buses in use in the United States, and the ratio of motor vehicles to human beings has been growing rapidly. Any place inhabited by 50,000 or more people has an automatically serious air pollution problem. And no area of the country, urban, suburban or rural, is free from the hazard.

Close behind the motor vehicle are the powerplants, incinerators, and smoke-

stacks of industry which contribute nearly an equal proportion of the fumes and filth which clog our air and choke our throats.

The present bill would deal with both sources of pollution, auto exhaust, and solid waste disposal. It will help bring closer the mandatory installation on new cars of devices to reduce the volume of harmful hydrocarbons and carbon monoxide which have poured unimpeded from the exhausts of tens of millions of cars. It will also help prevent new air pollution before it gets out of hand, improve research and development facilities, and initiate an attempt to find new, safer, and more sanitary ways of disposing of solid wastes like garbage, rubbish, refuse, debris, and so forth, which pollute both the air and water.

This is not a very radical bill, Mr. Chairman, nor does it go as far as many of us—alarmed at the speed with which air pollution is endangering the total environment—believe we should go in simple self-defense. It is a welcome step forward, albeit a modest one, and if it is backed by adequate funds and effective enforcement it can make a substantial difference in the battle against pollution.

We who live in the intensely populated and heavily industrialized areas of the Nation—and New Jersey is first on both counts—are especially sensitive, not to say vulnerable, to air pollution. We produce on a daily basis an enormous volume of pollutants and when air inversions trap the pollutants under layers of warm air, the entire area becomes a vast aerial garbage heap. In New Jersey, this happens about 40 times a year.

The nature of the danger has been dramatically and tragically illustrated in the smog attacks of recent years in Donora, Pa., London, and New York City, where hundreds of people have died and thousands more were seriously ill as a direct result of prolonged exposure to concentrated poisons in the air. Less than 3 years ago, much of our east coast was caught in a giant air inversion situation which, had it lasted just a few more days, would have resulted in mass death and sickness. Older people and those suffering from respiratory weaknesses of one kind or another are the first victims. But air pollution knows no boundaries and its impact on the young and healthy can be just as destructive, just as disabling on a long-term basis even at low concentrations.

Faced with such dangers, Mr. Chairman, our efforts to date have been paltry indeed. Today's legislation will help, but much more needs to be done at all levels of government, Federal, State, and local. The threat is great and it is growing. Air pollution is an enemy to all and it must be fought by all.

Mr. CUNNINGHAM. Mr. Chairman, I have no further requests for time.

Mr. HARRIS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO CLEAN AIR ACT

SEC. 101. The Clean Air Act is amended (1) by inserting immediately above the heading of section 1: "TITLE I—AIR POLLUTION PREVENTION AND CONTROL"; (2) by changing the words "this Act" wherever they appear in sections 1 through 7 to "this title"; (3) by redesignating sections 1 through 7 and references thereto as sections 101 through 107; (4) by redesignating sections 8 through 14 and references thereto as sections 301 through 307; (5) by inserting immediately above the heading of the so redesignated section 301: "TITLE III—GENERAL"; (6) by striking out subsection (a) of the so redesignated section 306 and striking out the letter (b) at the beginning of subsection (b) in the so redesignated section 306; (7) by striking out "this Act" in the so redesignated section 306 and inserting in lieu thereof "title I"; and (8) by inserting after the so redesignated section 107 and before the heading of such title III the following new title:

"TITLE II—CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES

"Short title

"SEC. 201. This title may be cited as the 'Motor Vehicle Air Pollution Control Act'.

"Establishment of standards

"SEC. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed as complete systems or incorporate other devices to prevent or control such pollution.

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance.

"Prohibited acts

"SEC. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with regulations prescribed under section 202 (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information, delivery to the ultimate purchaser.

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons for national security.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for deferring final determination as to admission and authorizing the delivery of such a motor vehicle or engine offered for import to the owner or consignee thereof upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or engine will be brought into conformity with the standards, requirements, and limitations applicable to it under this title. The Secretary of the Treasury shall, if a motor vehicle or engine is finally refused admission under this paragraph, cause disposition thereof in accordance with the customs laws unless it is exported under regulations prescribed by such Secretary, within ninety days of the date of notice of such refusal or such additional time as may be permitted pursuant to such regulations, except that disposition in accordance with the customs laws may not be made in such manner as may result, directly or indirectly, in the sale, to the ultimate consumer, of a new motor vehicle or new motor vehicle engine that fails to comply with applicable standards of the Secretary of Health, Education, and Welfare under this title.

"(3) A new motor vehicle or new motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a).

"Injunction proceedings

"SEC. 204. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 203(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"Penalties

"SEC. 205. Any person who violates paragraph (1), (2), or (3) of section 203(a) shall be subject to a fine of not more than $1,000. Such violation with respect to section 203(a)(1) and 203(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"Certification

"SEC. 206. (a) Upon application of the manufacturer, the Secretary shall test, or require to be tested, in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by such manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under section 202 of this title. If such vehicle or engine conforms to such regulations the Secretary shall issue a certificate of conformity, upon such terms, and for such period not less than one year, as he may prescribe.

"(b) Any new motor vehicle or any motor vehicle engine sold by such manufacturer which is in all material respects substantially the same construction as the test vehicle or engine for which a certificate has been issued under subsection (a), shall for the purposes of this Act be deemed to be in conformity with the regulations issued under section 202 of this title.

"Records and reports

"SEC. 207. (a) Every manufacturer shall establish and maintain such records, make such reports, and provide such information, as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee at reasonable times, to have access to and copy such records.

"(b) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (a), which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary of any officer or employee under his control, from the duly authorized committees of the Congress.

"Definitions for title II

"SEC. 208. As used in this title—

"(1) The term 'manufacturer' means any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or new motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce.

"(2) The term 'motor vehicle' means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"Appropriations

"SEC. 209. There is hereby authorized to be appropriated to carry out this title II, not to exceed $470,000 for the fiscal year ending June 30, 1966, not to exceed $845,000 for the fiscal year ending June 30, 1967, not to exceed $1,195,000 for the fiscal year ending June 30, 1968, and not to exceed $1,470,000 for the fiscal year ending June 30, 1969."

SEC. 102. (a) Paragraph (1) of subsection (c) of the redesignated section 105 of the Clean Air Act (which relates to abatement of air pollution) is amended by adding at the end thereof the following new subparagraph:

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency. This subparagraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights to the prevention or control of air pollution occurring in that country as is given that country by this subparagraph."

(b) So much of subsection (f) of such redesignated section 105 as precedes clause (2) of such subsection is amended to read as follows:

"(f) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (c) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution, and".

SEC. 103. Redesignated section 103 of the Clean Air Act (which relates to research, investigations, and training) is amended—

(1) by striking out the word "and" at the end of paragraphs (1), (2), and (3) of subsection (a) thereof;

(2) by striking out the period at the end of paragraph (4) of subsection (a) thereof and inserting in lieu thereof "; and";

(3) by adding after paragraph (4) of subsection (a) thereof the following new paragraph (5):

"(5) conduct and accelerate research programs (A) relating to the means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline-powered or diesel-powered vehicles, and to carry out such research the Secretary shall consult with the technical committee established under section 106 of this Act, and for research concerning diesel-powered vehicles he may add to such committee such representatives from the diesel-powered vehicle industry as he deems appropriate; and (B) directed toward the development of improved low-cost techniques designed to reduce emissions of oxides of sulfur produced by the combustion of sulfur-containing fuels."; and

(4) by adding at the end of such section the following new subsections:

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 105(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted, together with the record of the conference, as part of the record of proceedings under subsections (c), (d), and (e) of section 105."

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, in view of the fact that we want to make it certain that we conclude consideration of this legislation in time for our distinguished Chairman to carry out his program this evening in connection with his wedding anniversary; and in view of the fact that this title has to do with a great many technical provisions and reaches the problem of automobile emission, I ask unanimous consent that further reading of this title be dispensed with, that it be printed in the RECORD at this point, and open for amendment.

I might say to my colleague that this title begins on page 20 of the bill and goes down through line 10 on page 32.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. Are there any other amendments to be offered to title I? If not, the Clerk will read.

The CLERK. Page 32, line 11:

TITLE II—SOLID WASTE DISPOSAL

Short title

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act".

Findings and purposes

SEC. 202. (a) The Congress finds—

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass of material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and other urban areas has presented these communities with serious financial, manage-

ment, intergovernmental, and technical problems in the disposal of solid wastes resulting from the industrial, commercial, domestic, and other activities carried on in such areas;

(4) that inefficient and improper methods of disposal of solid wastes result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase in rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances, otherwise interfere with community life and development;

(5) that the failure or inability to salvage and reuse such materials economically results in the unnecessary waste and depletion of our natural resources; and

(6) that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope and in concern and necessitate Federal action through financial and technical assistance and leadership in the development, demonstration, and application of new and improved methods and processes to reduce the amount of waste and unsalvageable materials and to provide for proper and economical solid-waste disposal practices.

(b) The purposes of this Act therefore are—

(1) to initiate and accelerate a national research and development program for new and improved methods of proper and economic solid-waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and

(2) to provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, and conduct of solid-waste disposal programs.

Definitions

SEC. 203. When used in this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities.

(2) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(3) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(4) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(5) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(6) The term "construction", with respect to any project of construction under this Act, means (A) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (B) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (C) the inspection and supervision of the process of carrying out the project to completion.

Research, demonstrations, training, and other activities

SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the operation and financing of solid-waste disposal programs, the development and application of new and improved methods of solid-waste disposal (including devices and facilities therefor), and the reduction of the amount of such waste and unsalvageable waste materials.

(b) In carrying out the provisions of the preceding subsection, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities; and

(3) make grants-in-aid to public or private agencies and institutions and to individuals for research, training projects, surveys, and demonstrations (including construction of facilities), and provide for the conduct of research, training, surveys, and demonstrations by contract with public or private agencies and institutions and with individuals; and such contracts for research or demonstrations or both (including contracts for construction) may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the Secretary.

(c) Any grant, agreement, or contract made or entered into under this section shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such grant, agreement, or contract will be made readily available on fair and equitable terms to industries utilizing methods of solid-waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid-waste disposal.

(d) Notwithstanding any other provision of this Act, the United States shall not make any grant to pay more than two-thirds of the cost of construction of any facility under this Act.

Interstate and interlocal cooperation

SEC. 205. The Secretary shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage, where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

Grants for State and interstate planning

SEC. 206. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State and interstate agencies of not to exceed 50 per centum of the cost of making surveys of solid-waste disposal practices and problems within the jurisdictional areas of such States or agencies, and of developing solid-waste disposal plans for such areas.

(b) In order to be eligible for a grant under this section the State, or the interstate agency, must submit an application therefor which—

(1) designates or establishes a single State agency (which may be an interdepartmental agency) or, in the case of an interstate agency, such interstate agency, as the sole agency for carrying out the purposes of this section;

(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to statewide planning (or in the case of an interstate agency jurisdictionwide planning) for proper and effective solid-waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

(3) sets forth its plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

(4) provides for submission of a final report of the activities of the State or interstate agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State or interstate agency under this section.

(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid-waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

Labor standards

SEC. 207. No grant for a project of construction under this Act shall be made unless the Secretary finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5), will be paid wages at rates not less

than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and the Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Other authority not affected

SEC. 208. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provisions of law, of the Secretary of Health, Education, and Welfare, the Secretary of the Interior, or any other Federal officer, department, or agency.

Payments

SEC. 209. Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

Appropriations

SEC. 210. (a) There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare, to carry out this Act, not to exceed $7,000,000 for the fiscal year ending June 30, 1966, not to exceed $14,000,000 for the fiscal year ending June 30, 1967, not to exceed $19,200,000 for the fiscal year ending June 30, 1968, and not to exceed $20,000,000 for the fiscal year ending June 30, 1969.

(b) There is hereby authorized to be appropriated to the Secretary of the Interior, to carry out this Act, not to exceed $3,000,000 for the fiscal year ending June 30, 1966, not to exceed $6,000,000 for the fiscal year ending June 30, 1967, not to exceed $10,800,000 for the fiscal year ending June 30, 1968, and not to exceed $12,500,000 for the fiscal year ending June 30, 1969.

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, title II, which begins at page 32, line 11, and goes through the remainder of the bill on page 43, has to do with solid waste disposal. We have thoroughly debated this title and what is intended in all of its provisions. Therefore, I ask unanimous consent that the title be considered as read, printed at this point in the RECORD, and open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDMENT OFFERED BY MR. NELSEN

Mr. NELSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NELSEN: Page 32, strike out line 11 and all that follows down through and including line 6 on page 43.

Mr. NELSEN. Mr. Chairman, this amendment bears out the wishes of the minority as expressed in the minority views on page 66 of the report. However, there was some mention by one member of the group that there may have been some basis for a more favorable report than indicated. I might point out that in our minority views we stated that we felt this particular portion of the bill should have been separately considered; and, it was not logically a part of this legislation. We also point out in our view that we felt this was primarily a function of local governments and not the responsibility of the Federal Government. Therefore, Mr. Chairman, I have offered the amendment in support of the minority view and move its adoption.

Mr. HARRIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall take only a few minutes, in view of the extensive discussion which we had on this question during the general debate.

Mr. Chairman, I hope this amendment will not prevail. I believe that this Congress has the vision and the courage to recognize the facts with which we are faced in this country. I do not believe that even those who are opposed to this would question the need and the desirability for a program of new techniques and methods of disposing of one-half billion pounds of refuse and waste disposal that we have in this country every day.

Now, Mr. Chairman, if the members of the Committee do not believe that adds up to a sizable amount, just stop for 1 minute and think about it. Every day, one-half billion pounds of garbage is dumped on this country of ours.

Mr. Chairman, we have made it very clear that there has been some very fine work in this field by private companies and the efforts of others.

There are examples to which we can point, but as I stated in general debate, over one-half of the cities in the United States with populations of 2,500 or more do not have a program to adequately dispose of this material without there being a real health hazard to the people of the areas.

Now, Mr. Chairman, are we going to stick our heads in the sand? Are we going to close our eyes to this problem when we know that the local communities and States are unable to combat and meet the problem of developing new techniques?

Mr. Chairman, if we do not have some new method or way of meeting this problem, then 10 years from now, let me tell you, my colleagues, we will be confronted with a most serious situation.

Mr. Chairman, we are undertaking, today, to provide a program to meet the imperative need 10, 20, and even more years in the future and not just today.

Mr. Chairman, I just believe that this House of Representatives has the courage and the foresight to look down the road and to leave something to which our own children will point with pride and say, "I thank God for what my dad did 10 years ago or 20 years ago," because believe me, otherwise a serious problem is going to be here.

Mr. Chairman, all we attempt to do here is to set up a program through research, studies, investigations, and demonstrations to develop new methods and techniques in this field.

There is no problem that faces us today that is more imperative than that one.

I hope the pending amendment will be defeated.

Mr. GROSS. Mr. Chairman, I rise in support of the pending amendment.

I may say to the gentleman from Arkansas [Mr. HARRIS], that I support this amendment for the reason that I want to take a look down the road. I want to take a look at the bill that is coming out of the Committee on Public Works with respect to so-called highway beautification, the elimination of automobile junkyards, and that sort of thing.

I notice in your report on page 7 that that is one of the things you plan to go into with this bill.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arkansas.

Mr. HARRIS. I believe that is the wrong construction. It is not our intention to go into a program involving automobile—I do not want to say "junkyard," because the industry objects to that term—but automobile disposal belongs to another committee.

Mr. GROSS. Let me read what you say on page 7:

> Solid wastes include a great variety of things that individuals, manufacturers, commercial establishments, and communities discard as no longer usable, such as garbage, rubbish, ashes, street refuse, demolition debris, construction refuse, abandoned automobile hulks, old refrigerators, and furniture.

It is clear that under this bill it is planned to go into the business of eliminating junkyards. You go further, and say:

> Accumulations of litter, refuse, and junk cause fire hazards, contribute to accidents and destroy the beauty of cities and the countryside.

I repeat, a beautification bill is coming from the Public Works Committee. Why not dispense with this $90-million provision of the present bill? We can all agree on the necessity and the hope that title I will provide clean air. I sometimes wonder if we should not apply it to the House of Representatives as well as the countryside. But why not postpone this expensive phase of the bill until we see how far they are going to roam with the beautification bill coming out of the Committee on Public Works. On the basis of your report you are certainly getting into that field.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arkansas.

Mr. HARRIS. In the first place, we have air conditioned the House Chamber in an effort to meet the problem that the gentleman refers to.

Mr. GROSS. I did not know it was proposed to deal with air conditioning. I thought it was a question of purifying the air.

Mr. HARRIS. I will say again that the gentleman and those who have serious objections, that we are not going to get into the business of disposing of these things. We leave that to the other committee and other legislation. What we are doing is providing a program for the discovery of new methods and techniques for the disposal of such waste disposal. We do not get into the field of actually setting up a program to dispose of it.

Mr. GROSS. Is the gentleman trying to say that the Committee on Public Works is going to bring a bill out, providing for spending a considerable amount of money as I understand it, without having discovered any techniques for getting rid of junkyards? Incidentally, I am informed that the State of Texas leads all States in the number of automobile junkyards.

Can it be possible the Public Works Committee will bring a bill out here without having gone into the necessary techniques for the elimination of junk yards?

Mr. HARRIS. In the first place, if the gentleman will permit, I doubt very seriously that our colleague from Texas would admit that statement that the gentleman just made is correct.

Mr. GROSS. I would not expect him to and I would not want him to.

Mr. HARRIS. I think at least there would be some argument about it. But again, there we go. We get these health hazards that develop from such things as old refrigerators and things of that kind that we do not know what to do with except to take them off and dump them in a hole somewhere. As a result, some areas of the country are running out of holes and we have to devise some new means and methods of disposing of such waste that create these health hazards.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURTIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, as the chairman of the legislative committee has said, we have had some debate on this and indeed we have. But the whole point is, as I have tried to say in general debate, this matter has not been studied by the committee:

> Section 202 of title II was not in the bill passed by the other body or in any House bill. But it was suggested to the committee by the Department of HEW after the committee hearings.

I am reading from the minority report which I assume is accurate. Certainly this is a matter of great concern—$3 billion apparently is spent a year by our local communities and private enterprises in the disposal of this waste. This bill would authorize $92 million on a research program where there has not been any coordination with other programs. It is very clear just from the colloquy that went on between the gentleman from Iowa and the chairman of the committee that there is no coordination of this suggested program here and of the programs that exist.

It is very true that we cannot expect the Committee on Interstate and Foreign Commerce to coordinate programs that are not within its jurisdiction, such as the one I mentioned on the tax credit approach through the Committee on Ways and Means and the one which the gentleman from Iowa mentioned that is coming to us under the public works bill. But I certainly would expect the executive department, the Department of Health, Education, and Welfare, for example, to have coordinated this program with the other programs that exist in the executive department. This has not been done.

The reason I support the amendment is because I think this matter ought to go back to the committee for hearings, which hearings have not been held, to find out what other programs there are where it might need coordination. It is only in this way that we can intelligently spend, I suggest, $92 million over a period of the next 4 years in research and development. I, myself, would like to know and have a better idea of the sums of money presently being spent on research and development in this area now by both private enterprise and local and State governments.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. HARRIS. The gentleman has referred again to the fact that this provision was not included in the bill that came from the other body.

Mr. CURTIS. I simply say this is what the minority views say and that has not been contested so I assume it is so.

Mr. HARRIS. I should have referred to this earlier. But notwithstanding what is included in the minority views, if the gentleman has a copy of the bill, and will refer to page 11, showing where the whole matter from the other body was stricken out and a new bill was written by the House, he will find that a statement of purpose is included in section 202 of the Senate passed bill.

It has to do with the same problem that we include in section 202 of our bill, which the gentleman will find on page 32.

We made other changes in title II. The principal change that was made from what was then in the Senate bill was that the Senate bill provided that our pollution control agencies of the States should be in charge of waste disposal research studies and surveys. We feel that this problem ought to be attacked by those who have the expertise in the field of solid waste disposal instead of the highly technical problem of air pollution.

So, consequently our version of the bill does not provide for this new program to be carried out by the air pollution boards of the States. We feel that it was a justified change. After calling this matter to the attention of the Department and the Administration, they agreed and accepted that viewpoint. That is the reason for the change.

Mr. CURTIS. I think there is great merit to that change.

Yet I still come back to the basic point. In looking at the hearings and listening to the debate, I find that little evidence has been developed and has been made available to us as to what is being done by local and State governments and private enterprise in this area of solid waste disposal.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes.

The CHAIRMAN. Without objection, it is so ordered.

Mr. JONAS. Mr. Chairman, I move to strike out the last word.

I shall not take 5 minutes but asked for this time in order not to interrupt a speaker and to direct a question or two to the chairman of the committee.

First, I fully support title I. I have not made up my mind on the current amendment, but would like to know why it is necessary to authorize appropriations 4 years in advance if the sole purpose of title II is to engage in research in order to develop new techniques for the disposal of solid waste. As I understood the gentleman from Arkansas, the purpose of that title is to do what I have just said. There is no intention or purpose in this title to participate in the actual disposal of waste. That is a matter for the local communities, the cities, and the municipalities concerned. The intention is to limit the activity of the Federal Government to the financing of research in order to develop new techniques.

Mr. HARRIS. And some demonstrations.

Mr. JONAS. What if they come up with a satisfactory new technique that will solve this problem in a year? You would not need to continue to spend money on the program then.

Mr. HARRIS. If, within a year, there is a breakthrough of great importance, the Appropriations Committee and the Congress would have no need to make any further appropriation in that field. The proposal is merely an authorization. We would undertake the program on a limited basis from year to year for a period of 4 years. Only two-thirds of the fund—approximately $60 million—would be for that particular type of program. The other one-third—approximately $30 million or thereabouts—would be appropriated to the Department of the Interior during this time because, as the gentleman knows, as one travels throughout this country, he sees certain areas of the country which are filled with great holes and all kinds of hazards which have developed. For example, in my own State we have the bauxite area, which is a most terrible looking thing.

We made it very clear that they were not going to have programs of trying to beautify all these areas. This is a program to develop methods by which industry can prevent such from happening in the future.

Mr. JONAS. It is not intended to be related to the elimination of these hazards?

Mr. HARRIS. It is intended to include research, studies and demonstrations to develop techniques and methods which will eliminate these hazards.

Mr. JONAS. How can we eliminate such a hazard without filling the hole up?

Mr. HARRIS. That is one of the problems we hope to solve. There will be contracts the Secretary will enter into with people who will be involved. Then these methods would be applied.

Mr. JONAS. I understood the gentleman from Arkansas to say that a substantial number of cities in the United States—I do not recall the percentage—do not have any effective plans for the elimination of solid waste. I would assume from that the other cities do have

effective plans. I could not imagine the great cities of New York, Chicago, Philadelphia, and others I might name, not having spent considerable time and effort trying to develop new methods and techniques for eliminating solid waste. Can the gentleman tell me whether they have been derelict in that?

Mr. HARRIS. I would not want to say there has been dereliction. I believe it has been a matter of capability, in respect to all the gentleman mentioned.

Mr. JONAS. I could have named others.

Mr. HARRIS. Yes. In the field of disposal of waste, Milwaukee, Wis., has established the kind of program that would be desirable. That is an example which should not be overlooked.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLLIER. Do I correctly understand that an agreement has been entered to limit debate to 10 minutes? I presume there is at the desk the names of Members who were on their feet at the time the unanimous-consent request was granted.

The CHAIRMAN. The gentleman was standing. The Chair will recognize the gentleman from Texas for 2½ minutes.

Mr. JONAS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONAS. I believe I was recognized by the Chair before the unanimous consent was granted. I believe each of the gentlemen now should be entitled to 5 minutes.

The CHAIRMAN. The gentleman makes a proper statement of the case. The Chair recognizes the gentleman from Texas for 5 minutes, and will later recognize the gentleman from Illinois for 5 minutes.

Mr. ROGERS of Texas. Mr. Chairman, I want to say at this point that I supported title I of this measure vigorously, as I have for many years. However, I feel there are some things which should be said concerning title II.

No one doubts that we need a program in this country for the disposal of solid waste. No one would deny that.

However, the manner in which this has been approached is contrary to my views as to how the program should be approached. In the first instance, we are providing over $90 million for research in this field. This is a problem that has been faced by every city in the country large or small. Much work has been done by private agencies and is being done now. This $90 million can be handed out to any Tom, Dick, or Harry that might appeal to these departments that are being handed these funds. I object to that, and I do not think that much money ought to be spent. To show you the significance of it, for a period of well over 10 years the program to desalt water, which is one of the most important programs in the history of mankind, has not spent more money than is proposed here. And I call your attention to the fact that this $90 million is only for a period of 3 years.

The next thing I want to point out is this: This bill is the authorization of funds to be appropriated up to June 1969. I oppose this type of authorization, because it takes away from the legislative committee the right to go into these matters further if they are not being handled in a proper manner and in a manner that the Congress wants them to be handled in during the first year of the program. We made this change in the desalinization program so that these departments downtown must not only come back to our Committee on Appropriations, for which I have full respect, but to the legislative committee which has the power in the first instance. I do not believe the best interest of the taxpayer will be served by this procedure.

For those reasons I expect to support the amendment to strike out title II.

In my opinion this type of program handled under this procedure is an open invitation to corruption and scandal.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. COLLIER] for 5 minutes.

Mr. COLLIER. I thank the chairman.

I am delighted that the Chair recognized the gentleman from Texas first, because I rise to echo the sentiments he has expressed, but I would add thereto the fact that the colloquy earlier in this debate today together with the debate on the legislation on this floor yesterday certainly makes it eminently clear to me—and it should to every Member of this House—that the manner in which we have been scoop shoveling legislation through this House this year is creating a very serious problem with regard to conflicts, overlap and duplication not only within the sprawling agencies, commissions, and bureaus set up by the Congress day in and day out. In fact similar conflicts and overlap of duties and responsibilities have occurred in areas that have been traditionally those of the States and local governments.

If this Congress proceeds in the next few months the way it has in the past 9 months, we will have to establish a new agency in this Government just to coordinate the programs and bureaus, because the left bureaucratic hand does not know what the right bureaucratic hand is doing any more. Then we may be faced with the further problem of creating a coordinating agency to coordinate the coordinators. It is just getting that bad.

In conclusion, Mr. Chairman, I would say that I think this body would act wisely today to support the pending amendment so that we can move on to support title I of the bill, which I think, of course, is necessary and good legislation.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I will be delighted to yield to my good friend from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I would like to take issue with the gentleman on the fact that title II is not needed. I think the chairman pointed out very vividly the problem that exists today of solid waste disposal which we have. We have to face 500 million pounds of solid waste disposal in this country every day. In 15 years they estimate this problem will triple, so it will be 1.5 billion pounds every day. Now, all that this title does, as has been pointed out here, is to provide research funds to try to find out how to solve the problem; that is, not to get into the garbage business and dispose of it but simply to find some new knowledge as to what we can do and, further, to find new knowledge as to how this material can be reused and money obtained from it, perhaps, to pay more back into this country than we can put into the research program which this one section would allow.

Mr. Chairman, I would urge very strongly the defeat of this amendment.

Mr. COLLIER. Mr. Chairman, I would say that the gentleman from Florida has merely reiterated what the distinguished chairman has said. The question involved here, it seems to me, is not necessarily in recognizing the problem which we face but in attempting to coordinate many programs in the private sector as well as in the areas of our educational effort in this Government that are already working on similar programs or programs akin to the one proposed in title II of this bill.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman.

Mr. DOLE. I agree with the gentleman that we are all against waste, and I think this is a good opportunity to dispose of about $92 million of it by supporting this amendment.

I thank the gentleman.

Mr. COLLIER. I thank the gentleman for his contribution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. NELSEN].

The question was taken; and on a division (demanded by Mr. NELSEN) there were—ayes 29, noes 101.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DADDARIO

Mr. DADDARIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DADDARIO: Line 25, page 38, after the word "disposal.", add the following: "In carrying out the provisions of this section, the Secretary and each department, agency, and officer of the Federal Government having functions or duties under this Act shall make use of and adhere to the Statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963. (3 CFR, 1963 Supp., p. 238.)"

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the chairman of the committee.

Mr. HARRIS. Mr. Chairman, I believe we can dispose of this amendment very briefly. The gentleman proposes an amendment to the committee amendment in the bill that was worked out by the committee primarily under the leadership of the gentleman from California

[Mr. Moss]. The gentleman from Connecticut will recall that when we had S. 1588, the transportation research bill, there was an amendment in that bill similar to the amendment included in this bill. The gentleman from Connecticut and I had a colloquy on it at that time.

Here in the Senate-passed bill the so-called Long amendment on patents was included in the bill. Now, our committee struck out the so-called Long provision of the Senate-passed bill, and we included the amendment that had been worked out similar to the one contained in S. 1588, the transportation research bill, and it is included in this bill.

So, therefore, this will involve a possible conference between the House and the other body as to a resolution of the matter between the two provisions.

Mr. Chairman, in view of that, the gentleman from Connecticut proposes an amendment that would refer to the Government patent policy promulgated by the President in his memorandum of October 10, 1963. In view of the fact that it brings this limited provision within the rule promulgated by that memorandum, it seems to me that it would be in keeping with the provision that was intended.

Mr. Chairman, I have discussed the matter with the gentleman from California [Mr. Moss] in view of the fact that he did take the major part in developing the amendment and it is satisfactory to him. The gentleman from California has indicated that he is willing to accept the amendment of the gentleman from Connecticut.

Therefore, Mr. Chairman, I am perfectly willing to accept the amendment.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. I would like to agree with the chairman and say those of us on the minority side also accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was agreed to.

The CHAIRMAN. The question now is on the committee substitute.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 306) to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes, pursuant to House Resolution 587, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. DEVINE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DEVINE. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DEVINE moves to recommit the bill to the Committee on Interstate and Foreign Commerce with instructions to report it back forthwith with an amendment as follows: Page 32, strike out line 11 and all that follows down through and including line 6 on page 43.

Mr. HARRIS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 80, nays 220, not voting 132, as follows:

[Roll No. 324]

YEAS—80

Abernethy	Duncan, Tenn.	Martin, Nebr.
Andrews, N. Dak.	Erlenborn	May
Arends	Findley	Michel
Ashbrook	Fisher	Minshall
Ayres	Ford, Gerald R.	Mize
Bates	Fountain	Nelsen
Battin	Griffin	O'Konski
Belcher	Gross	Pickle
Berry	Gurney	Poage
Bow	Haley	Poff
Broyhill, N.C.	Hansen, Idaho	Pool
Buchanan	Harsha	Purcell
Cabell	Harvey, Ind.	Quie
Casey	Harvey, Mich.	Reid, Ill.
Chamberlain	Hutchinson	Reifel
Collier	Jonas	Robison
Conable	Jones, Mo.	Rogers, Tex.
Cooley	Keith	Roudebush
Cramer	Kunkel	Rumsfeld
Curtin	Laird	Satterfield
Curtis	Langen	Schneebeli
Davis, Wis.	Lennon	Selden
Derwinski	McClory	Skubitz
Devine	McCulloch	Thomson, Wis.
Dickinson	Mahon	Watkins
Dole	Marsh	Watson
	Martin, Mass.	Williams

NAYS—220

Albert	Burleson	Cunningham
Anderson, Tenn.	Burton, Calif.	Daddario
Annunzio	Byrne, Pa.	Dague
Ashley	Byrnes, Wis.	Davis, Ga.
Ashmore	Cahill	de la Garza
Baring	Callan	Delaney
Barrett	Cameron	Denton
Beckworth	Carter	Dingell
Bell	Cederberg	Downing
Bennett	Chelf	Dwyer
Bingham	Clancy	Edmondson
Blatnik	Cleveland	Evans, Colo.
Boland	Clevenger	Farbstein
Brooks	Cohelan	Fascell
Brown, Calif.	Conte	Feighan
Broyhill, Va.	Conyers	Flood
Burke	Craley	Fogarty
	Culver	Foley
Ford, William D.	McDowell	Rooney, Pa.
Fraser	McFall	Rosenthal
Friedel	McGrath	Rostenkowski
Fulton, Pa.	McMillan	Roush
Fulton, Tenn.	McVicker	Roybal
Fuqua	Macdonald	Ryan
Gallagher	MacGregor	St Germain
Garmatz	Machen	St. Onge
Gathings	Mackay	Saylor
Gettys	Mackie	Scheuer
Giaimo	Matsunaga	Schisler
Gibbons	Matthews	Schweiker
Gonzalez	Meeds	Secrest
Green, Oreg.	Miller	Sickles
Green, Pa	Mills	Sisk
Greigg	Minish	Slack
Grider	Mink	Smith, Iowa
Griffiths	Moore	Smith, N.Y.
Grover	Moorhead	Smith, Va.
Hagan, Ga.	Morgan	Stafford
Hagen, Calif.	Morris	Staggers
Halpern	Morse	Steed
Hamilton	Mosher	Stephens
Hanley	Moss	Stratton
Hanna	Multer	Stubblefield
Hardy	Murphy, Ill.	Sullivan
Harris	Murphy, N.Y.	Taylor
Hathaway	Murray	Teague, Tex.
Hawkins	Natcher	Tenzer
Hechler	Nedzi	Thompson, N.J.
Helstoski	O'Hara, Mich.	Todd
Horton	Olsen, Mont.	Trimble
Hull	O'Neal, Ga.	Tunney
Hungate	Ottinger	Tupper
Huot	Passman	Tuten
Ichord	Patman	Ullman
Irwin	Patten	Van Deerlin
Jacobs	Pelly	Vanik
Jarman	Pepper	Vigorito
Jennings	Perkins	Vivian
Joelson	Pike	Waggonner
Johnson, Pa.	Powell	Walker, N. Mex.
Karsten	Price	Watts
Karth	Pucinski	Weltner
Kastenmeier	Race	Whalley
Kelly	Randall	White, Idaho
King, Calif.	Redlin	White, Tex.
King, N.Y.	Reid, N.Y.	Whitener
King, Utah	Reuss	Widnall
Kornegay	Rhodes, Pa.	Wilson, Charles H.
Krebs	Rivers, Alaska	Wolff
Leggett	Rodino	Wright
Long, Md.	Rogers, Colo.	Young
Love	Rogers, Fla.	Zablocki
McCarthy	Ronan	
McDade	Roncalio	
	Rooney, N.Y.	

NOT VOTING—132

Abbitt	Ellsworth	Moeller
Adair	Everett	Monagan
Adams	Evins, Tenn.	Morrison
Addabbo	Fallon	Morton
Anderson, Ill.	Farnsley	Nix
Andrews, George W.	Farnum	O'Brien
	Fino	O'Hara, Ill.
Andrews, Glenn	Flynt	Olson, Minn.
	Frelinghuysen	O'Neill, Mass.
Aspinall	Gilbert	Philbin
Baldwin	Gilligan	Pirnie
Bandstra	Goodell	Quillen
Betts	Grabowski	Reinecke
Boggs	Gray	Resnick
Bolling	Gubser	Rhodes, Ariz.
Bolton	Hall	Rivers, S.C.
Bonner	Halleck	Roberts
Brademas	Hansen, Iowa	Roosevelt
Bray	Hansen, Wash.	Schmidhauser
Brock	Hays	Scott
Broomfield	Hébert	Senner
Burton, Utah	Henderson	Shipley
Callaway	Herlong	Shriver
Carey	Hicks	Sikes
Celler	Holifield	Smith, Calif.
Clark	Holland	Springer
Clausen, Don H.	Hosmer	Stalbaum
	Howard	Stanton
Clawson, Del	Johnson, Calif.	Sweeney
Colmer	Johnson, Okla.	Talcott
Corbett	Jones, Ala.	Teague, Calif.
Corman	Kee	Thomas
Daniels	Keogh	Thompson, Tex.
Dawson	Kirwan	Toll
Dent	Kluczynski	Tuck
Diggs	Landrum	Udall
Donohue	Latta	Utt
Dorn	Lindsay	Walker, Miss.
Dow	Lipscomb	Whitten
Dowdy	Long, La.	Willis
Dulski	McEwen	Wilson, Bob
Duncan, Oreg.	Madden	Wyatt
Dyal	Mailliard	Wydler
Edwards, Ala.	Martin, Ala.	Yates
Edwards, Calif.	Mathias	Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Fino.
Mr. O'Neill of Massachusetts with Mr. Corbett.
Mr. Kirwan with Mr. Halleck.
Mr. Gilligan with Mr. Stanton.
Mr. Addabbo with Mr. Broomfield.
Mr. Gilbert with Mr. Lindsay.
Mr. Morrison with Mr. Callaway.
Mr. Madden with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Martin of Alabama.
Mr. Howard with Mr. Mailliard.
Mr. Hicks with Mr. Goodell.
Mr. Hébert with Mr. McEwen.
Mr. Senner with Mr. Hall.
Mr. Sikes with Mr. Edwards of Alabama.
Mr. Shipley with Mr. Don H. Clausen.
Mr. Sweeney with Mr. Morton.
Mr. Daniels with Mr. Bray.
Mr. Dent with Mr. Andrews of North Dakota.
Mr. Dorn with Mr. Walker of Mississippi.
Mr. Evins of Tennessee with Mr. Brock.
Mr. Fallon with Mr. Mathias.
Mr. Monagan with Mrs. Bolton.
Mr. Moeller with Mr. Del Clawson.
Mr. Yates with Mr. Adair.
Mr. Whitten with Mr. Betts.
Mr. Toll with Mr. Shriver.
Mr. Gray with Mr. Anderson of Illinois.
Mr. Colmer with Mr. Quillen.
Mr. Corman with Mr. Reinecke.
Mr. Aspinall with Mr. Wyatt.
Mr. Bandstra with Talcott.
Mr. George W. Andrews with Mr. Younger.
Mr. Johnson of California with Mr. Bob Wilson.
Mr. Holifield with Mr. Teague of California.
Mr. Hays with Mr. Pirnie.
Mr. Kee with Mr. Ellsworth.
Mr. Boggs with Mr. Smith of California.
Mr. Adams with Mr. Wydler.
Mr. Bonner with Mr. Baldwin.
Mr. Brademas with Mr. Latta.
Mr. Celler with Mr. Gubser.
Mr. Stalbaum with Mr. Rhodes of Arizona.
Mr. Carey with Mr. Hosmer.
Mr. Roosevelt with Mr. Frelinghuysen.
Mr. Clark with Mr. Lipscomb.
Mr. Dulski with Mr. Utt.
Mr. Dow with Mr. Springer.
Mr. O'Hara of Illinois with Mr. Nix.
Mr. O'Brien with Mr. Edwards of California.
Mr. Dyal with Mr. Donohue.
Mr. Kluczynski with Mr. Schmidhauser.
Mr. Scott with Mr. Udall.
Mr. Thomas with Mr. Tuck.
Mr. Willis with Mr. Duncan of Oregon.
Mr. Thompson of Texas with Mr. Farnum.
Mr. Flynt with Mr. Grabowski.
Mr. Farnsley with Mr. Hansen of Iowa.
Mr. Rivers of South Carolina with Mrs. Hansen of Washington.
Mr. Dawson with Mr. Resnick.
Mr. Roberts with Mr. Abbitt.
Mr. Olson of Minnesota with Mr. Diggs.
Mr. Landrum with Mr. Herlong.
Mr. Henderson with Mr. Jones of Alabama.
Mr. Philbin with Mr. Everett.

Mr. McFALL, Mr. BYRNES of Wisconsin, and Mr. REID of New York changed their vote from "yea" to "nay."

Mr. COOLEY, Mr. FOUNTAIN, Mr. CHAMBERLAIN, Mr. CABELL, and Mr. DUNCAN of Tennessee changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 294, nays 4, answered "present" 1, not voting 133, as follows:

[Roll No. 325]

YEAS—294

Abernethy	Gettys	Moss
Albert	Giaimo	Multer
Anderson, Tenn.	Gibbons	Murphy, Ill.
	Gonzalez	Murphy, N.Y.
Andrews, N. Dak.	Green, Oreg.	Murray
	Green, Pa.	Natcher
Annunzio	Greigg	Nedzi
Arends	Grider	Nelsen
Ashbrook	Griffin	O'Hara, Mich.
Ashley	Griffiths	O'Konski
Ashmore	Gross	Olsen, Mont.
Ayres	Grover	O'Neal, Ga.
Baring	Gurney	Ottinger
Barrett	Hagan, Ga.	Passman
Bates	Haley	Patman
Battin	Halpern	Patten
Beckworth	Hamilton	Pelly
Belcher	Hanley	Pepper
Bell	Hanna	Perkins
Bennett	Hansen, Idaho	Pickle
Berry	Hardy	Pike
Bingham	Harris	Poff
Blatnik	Harsha	Pool
Boland	Harvey, Ind.	Powell
Bow	Harvey, Mich.	Price
Brooks	Hathaway	Pucinski
Brown, Calif.	Hawkins	Quie
Broyhill, N.C.	Hechler	Race
Broyhill, Va.	Helstoski	Randall
Buchanan	Horton	Redlin
Burke	Hull	Reid, Ill.
Burleson	Hungate	Reid, N.Y.
Burton, Calif.	Huot	Reifel
Byrne, Pa.	Hutchinson	Reuss
Byrnes, Wis.	Ichord	Rhodes, Pa.
Cabell	Irwin	Rivers, Alaska
Cahill	Jacobs	Robison
Callan	Jarman	Rodino
Cameron	Jennings	Rogers, Colo.
Carter	Joelson	Rogers, Fla.
Casey	Johnson, Pa.	Rogers, Tex.
Cederberg	Jonas	Ronan
Chamberlain	Jones, Mo.	Roncalio
Cheif	Karsten	Rooney, N.Y.
Clancy	Karth	Rooney, Pa.
Cleveland	Kastenmeier	Rosenthal
Clevenger	Keith	Rostenkowski
Cohelan	Kelly	Roudebush
Collier	King, Calif.	Roush
Conable	King, N.Y.	Roybal
Conte	King, Utah	Rumsfeld
Conyers	Kornegay	Ryan
Cooley	Krebs	Satterfield
Craley	Kunkel	St Germain
Cramer	Laird	St. Onge
Culver	Langen	Saylor
Cunningham	Leggett	Scheuer
Curtin	Lennon	Schisler
Curtis	Long, Md.	Schneebeli
Daddario	Love	Schweiker
Dague	McCarthy	Secrest
Davis, Ga.	McClory	Selden
Davis, Wis.	McCulloch	Sickles
de la Garza	McDade	Sisk
Delaney	McDowell	Skubitz
Denton	McFall	Slack
Derwinsi	McGrath	Smith, Iowa
Dickinson	McMillan	Smith, N.Y.
Dingell	McVicker	Smith, Va.
Downing	Macdonald	Stafford
Duncan, Tenn.	MacGregor	Staggers
Dwyer	Machen	Steed
Edmondson	Mackay	Stratton
Erlenborn	Mackie	Stubblefield
Evans, Colo.	Mahon	Sullivan
Evins, Tenn.	Marsh	Taylor
Farbstein	Martin, Mass.	Teague, Tex.
Fascell	Martin, Nebr.	Tenzer
Feighan	Matsunaga	Thompson, N.J.
Fisher	Matthews	Thomson, Wis.
Flood	May	Todd
Fogarty	Meeds	Trimble
Foley	Michel	Tunney
Ford, Gerald R.	Miller	Tupper
Ford, William D.	Mills	Tuten
	Minish	Ullman
Fountain	Mink	Van Deerlin
Fraser	Minshall	Vanik
Friedel	Mize	Vigorito
Fulton, Pa.	Moore	Vivian
Fulton, Tenn.	Moorhead	Waggonner
Fuqua	Morgan	Walker, N. Mex.
Gallagher	Morris	Watkins
Garmatz	Morse	Watson
Gathings	Mosher	Watts
Weltner	Widnall	Wright
Whalley	Williams	Young
White, Idaho	Wilson, Charles H.	Zablocki
White, Tex.		
Whitener	Wolff	

NAYS—4

Dole	Poage	Purcell
Findley		

ANSWERED "PRESENT"—1

Devine

NOT VOTING—133

Abbitt	Everett	Morrison
Adair	Fallon	Morton
Adams	Farnsley	Nix
Addabbo	Farnum	O'Brien
Anderson, Ill.	Fino	O'Hara, Ill.
Andrews, George W.	Flynt	Olson, Minn.
	Frelinghuysen	O'Neill, Mass.
Andrews, Glenn	Gilbert	Philbin
	Gilligan	Pirnie
Aspinall	Goodell	Quillen
Baldwin	Grabowsi	Reinecke
Bandstra	Gray	Resnick
Betts	Gubser	Rhodes, Ariz.
Boggs	Hagen, Calif.	Rivers, S.C.
Bolling	Hall	Roberts
Bolton	Halleck	Roosevelt
Bonner	Hansen, Iowa	Schmidhauser
Brademas	Hansen, Wash.	Scott
Bray	Hays	Senner
Brock	Hébert	Shipley
Broomfield	Henderson	Shriver
Burton, Utah	Herlong	Sikes
Callaway	Hicks	Smith, Calif.
Carey	Holifield	Springer
Celler	Holland	Stalbaum
Clark	Hosmer	Stanton
Clausen, Don H.	Howard	Stephens
	Johnson, Calif.	Sweeney
Clawson, Del	Johnson, Ola.	Talcott
Colmer	Jones, Ala.	Teague, Calif.
Corbett	Kee	Thomas
Corman	Keogh	Thompson, Tex.
Daniels	Kirwan	Toll
Dawson	Kluczynski	Tuck
Dent	Landrum	Udall
Diggs	Latta	Utt
Donohue	Lindsay	Walker, Miss.
Dorn	Lipscomb	Whitten
Dow	Long, La.	Willis
Dowdy	McEwen	Wilson, Bob
Dulski	Madden	Wyatt
Duncan, Oreg.	Mailliard	Wydler
Dyal	Martin, Ala.	Yates
Edwards, Ala.	Mathias	Younger
Edwards, Calif.	Moeller	
Ellsworth	Monagan	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Mathias for, with Mr. Devine against.

Until further notice:

Mr. Keogh with Mr. Fino.
Mr. O'Neill of Massachusetts with Mr. Corbett.
Mr. Kirwan with Mr. Halleck.
Mr. Gilligan with Mr. Stanton.
Mr. Addabbo with Mr. Broomfield.
Mr. Gilbert with Mr. Lindsay.
Mr. Morrison with Mr. Callaway.
Mr. Madden with Mr. Burton of Utah.
Mr. Long of Louisiana with Mr. Martin of Alabama.
Mr. Howard with Mr. Mailliard.
Mr. Hicks with Mr. Goodell.
Mr. Hébert with Mr. McEwen.
Mr. Senner with Mr. Hall.
Mr. Sikes with Mr. Edwards of Alabama.
Mr. Shipley with Mr. Don H. Clausen.
Mr. Sweeney with Mr. Morton.
Mr. Daniels with Mr. Bray.
Mr. Dent with Mr. Hagan of California.
Mr. Dorn with Mr. Walker of Mississippi.
Mr. Stephens with Mr. Brock.
Mr. Fallon with Mr. Johnson of Oklahoma.
Mr. Monagan with Mrs. Bolton.
Mr. Moeller with Mr. Del Clawson.
Mr. Yates with Mr. Adair.
Mr. Whitten with Mr. Betts.
Mr. Toll with Mr. Shriver.
Mr. Gray with Mr. Anderson of Illinois.
Mr. Colmer with Mr. Quillen.

Mr. Corman with Mr. Reinecke.
Mr. Aspinall with Mr. Wyatt.
Mr. Bandstra with Mr. Talcott.
Mr. George W. Andrews with Mr. Younger.
Mr. Johnson of California with Mr. Bob Wilson.
Mr. Holifield with Mr. Teague of California.
Mr. Hays with Mr. Pirnie.
Mr. Kee with Mr. Ellsworth.
Mr. Boggs with Mr. Smith of California.
Mr. Adams with Mr. Wydler.
Mr. Bonner with Mr. Baldwin.
Mr. Brademas with Mr. Latta.
Mr. Celler with Mr. Gubser.
Mr. Stalbaum with Mr. Rhodes of Arizona.
Mr. Carey with Mr. Hosmer.
Mr. Roosevelt with Mr. Frelinghuysen.
Mr. Clark with Mr. Lipscomb.
Mr. Dulski with Mr. Utt.
Mr. Dow with Mr. Springer.
Mr. O'Hara of Illinois with Mr. Nix.
Mr. O'Brien with Mr. Edwards of California.
Mr. Dyal with Mr. Donohue.
Mr. Kluczynski with Mr. Schmidhauser.
Mr. Scott with Mr. Udall.
Mr. Thomas with Mr. Tuck.
Mr. Willis with Mr. Duncan of Oregon.
Mr. Thompson of Texas with Mr. Farnum.
Mr. Flynt with Mr. Grabowski.
Mr. Farnsley with Mr. Hansen of Iowa.
Mr. Rivers of South Carolina with Mrs. Hansen of Washington.
Mr. Dawson with Mr. Resnick.
Mr. Roberts with Mr. Abbitt.
Mr. Olsen of Minnesota with Mr. Diggs.
Mr. Landrum with Mr. Herlong.
Mr. Henderson with Mr. Jones of Alabama.
Mr. Philbin with Mr. Everett.

Mr. DEVINE. Mr. Speaker, I have a live pair with the gentleman from Maryland [Mr. MATHIAS]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The title was amended so as to read: "An Act to amend the Clean Air Act to require standards for controlling the emission of pollutants from certain motor vehicles, to authorize a research and development program with respect to solid-waste disposal, and for other purposes."

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8283) entitled "An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964.

GENERAL LEAVE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may have 5 legislative days in which to extend their remarks in the RECORD and to include extraneous matter, on the bill S. 306, at the appropriate place.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CONTINUING APPROPRIATIONS, 1966

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order any day next week to consider a House joint resolution making continuing appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, somewhere along the line this evening—late afternoon or early evening—I wanted to propound a question to someone as to whether there is any thought of ever adjourning this session of Congress. Since the gentleman asked for another 30-day extension, I am beginning to wonder whether we are ever going to get out of this place. In the course of arranging for this, does the gentleman have any idea as to whether we are ever going to see a sine die adjournment?

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. BOW. I believe, in respect to the request the gentleman has made, there is no limitation set. That is a matter which the committee will determine. I am hoping it will not be a 30-day continuation.

Mr. MAHON. I would say that the only regular appropriation bills remaining for final consideration by the Congress are as follows:

The agriculture appropriation bill. That has been in conference now for many weeks. There has been some difficulty in coming to agreement.

The foreign assistance appropriation bill, which passed the other body yesterday. That was delayed because there was no authorization for some time.

Mr. GROSS. If we never get that it will be too soon, I say to the gentleman.

Mr. MAHON. Then there is the public works appropriation bill, which will probably be disposed of next week. We hope so. There is some authorization there that has been pending for some time.

I hope we are moving rapidly toward adjournment, as I know the gentleman does.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I hope the public works bill will include the gentleman's project for his State and his district. I understand there is even a possible platform there for belly dancers.

Mr. GROSS. I have not researched the records, but I suspect that the State of New Jersey and the gentleman's district probably have gotten more money by accident than the district of the gentleman from Iowa will ever get on purpose.

Mr. THOMPSON of New Jersey. If the gentleman will yield, not only by accident but by design, and I hope on a continuous basis, and with my support, always.

Mr. GROSS. The gentleman knows that only a few days ago the House saw fit to approve, in behalf of the gentleman, $21 million a year for 3 years for culture.

Mr. THOMPSON of New Jersey. That is only the beginning.

Mr. GROSS. God knows what else; I do not.

Mr. THOMPSON of New Jersey. It is only the beginning. We are going to keep an eye on the gentleman's project.

Mr. GROSS. I hope the gentleman will.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONSOLIDATE JUDICIAL DISTRICTS OF SOUTH CAROLINA

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1620) to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the bill as follows:

S. 1620

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That (a) section 121 of title 28 of the United States Code is amended to read as follows:

"§ 121. South Carolina

"South Carolina constitutes one judicial district comprising ten divisions.

"(1) The Charleston Division comprises the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper.

"Court for the Charleston Division shall be held at Charleston.

"(2) The Columbia Division comprises the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

"Court for the Columbia Division shall be held at Columbia.

"(3) The Florence Division comprises the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg.

"Court for the Florence Division shall be held at Florence.

"(4) The Aiken Division comprises the counties of Aiken, Allendale, Barnwell, and Hampton.

"Court for the Aiken Division shall be held at Aiken.

"(5) The Orangeburg Division comprises the counties of Bamberg, Calhoun, and Orangeburg.

"Court for the Orangeburg Division shall be held at Orangeburg.

"(6) The Greenville Division comprises the counties of Greenville and Laurens.

"Court for the Greenville Division shall be held at Greenville.

"(7) The Rock Hill Division comprises the counties of Chester, Fairfield, Lancaster, and York.

"Court for the Rock Hill Division shall be held at Rock Hill.

"(8) The Greenwood Division comprises the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda.

"Court for the Greenwood Division shall be held at Greenwood.

"(9) The Anderson Division comprises the counties of Anderson, Oconee, and Pickens.

"Court for the Anderson Division shall be held at Anderson.

"(10) The Spartanburg Division comprises the counties of Cherokee, Spartanburg, and Union.

"Court for the Spartanburg Division shall be held at Spartanburg."

(b) The existing district judgeships for the Eastern District of South Carolina, the Western District of South Carolina, and the Eastern and Western Districts of South Carolina heretofore provided for by section 133 of title 28 of the United States Code shall hereafter be district judgeships for the District of South Carolina and the present incumbents of such judgeships shall henceforth hold their offices under section 133, as amended by this Act.

(c) In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this section in the number of districts in the State of South Carolina, such table is amended by striking out the following:

"South Carolina:	
Eastern	1
Western	1
Eastern and Western	2"

and inserting in lieu thereof the following:

"South Carolina 4".

SEC. 2. In compliance with section 132 of title 28 of the United States Code the District Court for the Eastern and Western Districts of South Carolina are hereby consolidated into, and shall henceforth constitute, a single District Court for the District of South Carolina. No loss or interruption of the jurisdiction of the consolidated District Court for the District of South Carolina over cases and controversies heretofore decided by or now pending in the District Courts for the Eastern and Western Districts of South Carolina shall result from such consolidation. The District Court for the District of South Carolina shall appoint a clerk who shall supersede the clerks of the District Courts for the Eastern and Western Districts of South Carolina and who shall maintain his office at Columbia until the court otherwise directs pursuant to sections 457 and 751(c) of title 28 of the United States Code. The presently existing records of the District Court for the Eastern and Western Districts of South Carolina shall be placed in his custody.

SEC. 3. When the term of office of either the United States attorney for the Eastern District of South Carolina or the United States attorney for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States attorney for the District of South Carolina as provided by section 501 of title 28 of the United States Code. Until the United States attorney for the District of South Carolina has been appointed as herein authorized and has qualified, the United States attorney for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the District of South Carolina, and the United States attorney for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the District of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification, of a United States attorney for the District of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 4. When the term of office of either the United States marshal for the Eastern District of South Carolina or the United States marshal for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States marshal for the District of South Carolina as provided by section 541(a) of title 28 of the United States Code. Until the United States marshal for the District of South Carolina has been appointed as herein authorized and has qualified, the United States marshal for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the District of South Carolina, and the United States marshal for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the District of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification of a United States marshal for the District of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 5. All deputy clerks, clerical assistants, and other employees of the clerks, all court reporters, all probation officers and their clerical assistants, all referees in bankruptcy and their clerical assistants, all United States commissioners and all other presently serving officers and employees of the United States District Courts for the Eastern and Western Districts of South Carolina shall henceforth be officers or employees, as the case may be, of the United States District Court for the District of South Carolina and shall hold their offices or employment under and perform their duties for that court. All presently serving assistant United States attorneys and clerical assistants of the United States attorneys and all presently serving deputy marshals and clerical assistants of the United States marshals appointed for the Eastern or Western District of South Carolina shall henceforth hold their offices or employment for the District of South Carolina.

With the following committee amendments:

Page 4, line 15, delete the period and insert: "and prosecutions for offenses committed within the Eastern and Western Districts of South Carolina prior to the effective date of this Act shall be commenced and proceeded with the same as if such consolidation had not occurred. For the purpose of the trial of such offenses, the District Courts for the Eastern and Western Districts of South Carolina are continued in existence and the judges of the District Court for the District of South Carolina shall sit as judges in such courts according to assignment made by the chief judge of the United States District Court for the District of South Carolina or the chief judge of the United States Court of Appeals for the Fourth Circuit."

Page 8, after line 4, insert:

"SEC. 6. The provisions of this Act shall become effective the first day of the month following the date of enactment of this Act."

The committee amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CONSTRUCTION, ETC., OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2300) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, with House amendments, insist on the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none and appoints the following conferees: Messrs. FALLON, BLATNIK, JONES of Alabama, EDMONDSON, WRIGHT, CRAMER, BALDWIN, and HARSHA.

LEGISLATIVE PROGRAM FOR WEEK OF SEPTEMBER 27

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the house for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the minority leader, we have finished the program for this week, and it will be our purpose to ask to go over to Monday after the announcement of the program for next week, which is as follows:

House Resolution 515, providing for the consideration of the bill (H.R. 4644) to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes.

H.R. 3142: Medical Library Assistance Act of 1965, with an open rule and 2 hours of debate.

H.R. 10281: Government Employees Salary Comparability Act. An open rule and 4 hours of debate.

S. 2084: Highway Beautification Act of 1965.

H.R. 11135: Sugar Act Amendments of 1965.

We do not yet have rules on either of these bills, but rules are expected next week.

House Joint Resolution 642: Library of Congress James Madison Memorial Building. An open rule with 1 hour of debate.

H.R. 6519: Amending the act of May 17, 1954, as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes, with an open rule and 1 hour of debate.

Of course, this is made subject to the usual announcement that conference reports may be brought up at any time and any further program will be announced later.

Mr. GERALD R. FORD. Is it the intention of the leadership to bring the bills up in this order?

Mr. ALBERT. The order is subject to change, of course, but we will start with the home rule bill. A lot depends upon how long the disposition of that bill requires. Also, we do not yet have rules on two bills. However, subject to that, I think that the House can pretty well depend on this announcement, and we will keep the Members of the House advised of any changes as soon as they occur.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, with all respect and humility, may I ask the distinguished gentleman from Oklahoma whether he can shed any light upon the business of sine die adjournment.

Mr. ALBERT. Of course, the gentleman pays me a compliment, because his question assumes that I am a seer as well as a Member of Congress. The best I can say to the gentleman is that we have pretty well completed the program of the House of Representatives, and I should think with good luck we should be able to complete it in a very few weeks.

ADJOURNMENT OVER UNTIL MONDAY, SEPTEMBER 27

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection

LET US GO HOME

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, this has indeed been a historic session of Congress but now it is time to go home. We have established a good reputation, a progressive Congress, and to delay adjournment will only result in taking the glitter from that reputation. Why we must stay is not clear. We have handled the President's program and if I do say so we have done right well by him. We have displayed an awareness of the need to find solutions to problems and again I would say that we have done quite well in solving them. But now I am weary, I find that my colleagues are weary, the Congress is weary and before the country grows weary of our activity, I think it might be wise for us to take a break.

FULL HEARING CANNOT BE TERMED "STALLING"

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, this morning's issue of the American Banker carries a highly distorted editorial entitled "Ritual of Stalling." The pretext of this 12-paragraph gossip statement is that the Honorable WRIGHT PATMAN, the distinguished chairman of the House Banking and Currency Committee, is conducting a stall campaign against S. 1698, a bill to clarify the bank merger situation.

Mr. Speaker, I wholeheartedly support S. 1698, and I wholeheartedly support my chairman. S. 1698 directly affects a bank in my district; and, because of this, I feel that I am closer to the legislation than any member of either the Domestic Finance Subcommittee, which is conducting hearings on the bill, or the full Banking and Currency Committee.

I want to say categorically that I am fully satisfied Chairman PATMAN is not stalling on the bill, but is conducting full and adequate hearings on a piece of legislation that, contrary to what the American Banker erroneously reports, has not been subject to one word of testimony at the committee level on the Senate side. The American Banker both in its editorial and news columns is probably best noted for its distortion of accuracies. I do not expect this newspaper to ascertain the facts before it makes up its mind. However, it might be nice if it bothered to learn the facts after it has made up its mind.

A copy of the editorial follows:

RITUAL OF STALLING

The chairman of the House Banking and Currency Committee has his own reasons for opposing passage of the bank merger bill, and he has his own techniques for stalling it. And while the substantial majority of the banking and industry which supports this proposed legislation may rankle under the delays, there is a realization that this is the way the game is played, and some resignation to it as a kind of ritual performance.

And it seems that Congressman WRIGHT PATMAN, Democrat of Texas, may well make his stalling tactics work during the present session of Congress.

If this happens, however, it does not mean that the merger bill will be dead. On the contrary, there appears to be building a sentiment in the House that the banking industry has been hung up on Mr. PATMAN's obstructionism long enough, and that there is sufficient merit in the bill, which is widely recognized as primarily a reaffirmation of the intent of Congress as expressed in the Bank Merger Act of 1960, for it to be enacted. So no matter what Mr. PATMAN does in the current session, there is some basis for hope that some useful legislation on bank mergers will be forthcoming when Congress reconvenes.

Some resentment also has been building against Mr. PATMAN for the stalling tactics he has been using this summer, by dragging out hearings on a piece of legislation which already has been thoroughly discussed in Senate hearings before its passage by that body.

Indeed, there is a strong feeling that many of the witnesses have been called primarily for the time that they would kill, rather than for the freshness or strength of their views.

Now Mr. PATMAN tends to confirm that feeling, at this point, late in the session, after the hearings have been squeezed dry of new ideas, when he makes a statement that in his view "it would be a grave mistake and disservice to the public if we do not give this bill at least the same amount of consideration that was given the Bank Merger Act of 1960."

That bill took 5 years to get through the Congress; but Mr. PATMAN says that he does not really mean to take that long this time. He thinks that the 48 days of hearings held on the 1960 legislation suggests a suitable time span for the hearings over which he is now presiding. Therefore, with 21 days already spent in hearings, Mr. PATMAN's judgment as to an appropriate investment in time would put the current hearings well into November, past the latest date yet suggested for the adjournment of this session of Congress.

Whether he can keep the hearings going until November, given the restiveness of a majority of the members of both his committee and the subcommittee which is conducting the hearings under his chairmanship, is a matter for some speculation.

Even if he does, however, this same restiveness among the committee members is likely to result in action during the next session of Congress. There is a kind of saturation point for stalling, even by a powerful committee chairman, and so a successful stall this fall does not necessarily mean permanent defeat for the bill.

In passing, it should be noted that while stalling tactics may be acceptable as part of the peculiar ritual of legislation, bad manners are a different matter entirely.

This week Mr. PATMAN took advantage of his position as chairman of the subcommittee to try to overwhelm the chairman of the Federal Deposit Insurance Corporation with a 13,000-word indictment of the performance of his agency. FDIC Chairman K. A. Randall had to sit, exposed and silent in the witness chair, for nearly one and a half hours while Mr. PATMAN droned through his charges. When he was given a chance to reply, Mr. Randall simply stated that he denied the charges, and would submit a statement for the record.

If Mr. PATMAN were serious about his charges against the FDIC, he might do better by conducting hearings to investigate the agency. The relevance of these charges to

the bill under discussion is not apparent. What is apparent is Mr. PATMAN'S determination to stall, and the shabby way he went about it in this instance.

RELIEF FOR THE TRUCKING INDUSTRY

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I have introduced legislation in this session of Congress in behalf of the trucking industry, since the railroads have lost interest in their own industry, and have interest in other modes of transportation. It appears the railroads expect the Government to subsidize the entire cost of their operation.

I sympathize with the people employed by the railroads, but they know they have definitely been let down by management which has been complacent in the last few years.

I read a very interesting editorial concerning the railroads which was heard on radio station WGR in our great city of Buffalo, N.Y. Under leave to extend my remarks, I submit the editorial for inclusion in the RECORD:

Railroads, once the most important form of transportation, now find cars, planes and trucks, pretty rough competition. Government, rightly or wrongly, has bent over backwards in every effort to help the railroads.

Thinking that the Federal Government is so thoroughly conditioned to favor the railroads on each decision, a trucker is enjoying a big laugh at the expense of the Interstate Commerce Commission.

The trucker, Leroy Hilt of Nebraska, firmly believed that the ICC would automatically rule for the railroads, and against truckers, every time. To test his theory, he submitted a schedule of rate changes to the ICC proposing a large shipment of "yak fat" from Omaha to Chicago. Mr. Hilt said his trucking company would do the job for just 45 cents a hundred pounds—a bargain rate.

(In case you've forgotten your school days, yak are oxen from Tibet. Yak fat isn't available anywhere on this continent, nor is anyone demanding a supply. Consequently, none of our country's transportation companies ship yak fat anywhere.)

But the railroads immediately objected to the low shipping rates suggested by the Nebraskan trucker. And the ICC, after a so-called examination, backed the railroads; said the rates were "unjust and unreasonable" and declared that yak fat could not be shipped for only 45 cents a hundred pounds.

It appears that Mr. Hilt's theory has been proven correct. The ICC, conditioned in its responses, seems to favor the railroads automatically.

Which leaves us wondering about a lot of other Government decisions.

ADVERSE HARVEST CONDITIONS IN NORTH DAKOTA

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a table.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, North Dakota farmers are being hard hit by the most adverse harvest conditions our State has ever known. Many people estimate that 20 percent of our spring wheat crop and perhaps more of our Durum will not be harvested because of the continuing rain and wet weather. This is a potentially great economic loss to thousands of individual farm families.

Because of this unique harvest condition, the cash market of wheat has risen and will give our farmers the opportunity to make up in increased price a small share of what they are losing through this adverse weather.

While I know that Congress has turned down our pleas to increase the resale price of wheat, the need becomes even greater in this harvest time emergency. I certainly want to urge the Secretary of Agriculture to hold back marketing of CCC wheat in order to maintain the better cash market position that will in a small way compensate our farmers for the fewer bushels they will harvest and the lower quality that will result.

I am including a chart prepared for me by the Farmers Union Grain Terminal Association showing the present CCC loan price, the cash market closing, and the present resale value if the Secretary were to sell under the 105-percent formula. This chart indicates roughly a direct across-the-board drop of 10 cents a bushel average if the Secretary should begin selling from his stockpile at the 105-percent formula.

I sincerely hope he will sense the need of our farmers and refrain from these price-destroying sales.

Terminal loan, Minneapolis or Duluth, Northern Spring $1.58

Protein	Price (CCC loan)	Spot closing tonight's closing	Resale value if under 105 percent formula
1,200 to 1,240	$1.59½	$1.81	$1.69¼
1,250 to 1,290	1.61	1.82	1.72
1,300 to 1,340	1.62½	1.83	1.73½
1,350 to 1,390	1.64	1.83	1.75
1,400 to 1,440	1.65½	1.84	1.76¾
1,450 to 1,490	1.67	1.86	1.78½
1,500 to 1,540	1.68½	1.89	1.80
1,550 to 1,590	1.70	1.94	1.81½
1,600 to 1,640	1.71¼	2.01	1.83½
1,650 to 1,690	1.73	2.07	1.85
1,700 to 1,740	1.74½	2.12	1.87
1,750 and above	1.76	2.17	1.88½

ON CHRISTIAN OBEDIENCE

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, Episcopal clergy in the diocese of Los Angeles have been disturbed over misinterpretations of church policy which they feel may be drawn from a recent insertion in the RECORD.

On September 3, our Louisiana colleague [Mr. WAGGONNER] caused to be printed extracts from a sermon preached by the Reverend Robert Watts, of La Jolla, Calif. That material appears on page 22888 of the RECORD. It conveys a strong denunciation of the theory that certain conditions justify the defiance of bad laws.

The Reverend Robert T. Stellar, D.D., executive secretary in the department of social relations for the Episcopal Church in southern California, has asked my assistance in clarifying the church's position on Christian obedience. Father Stellar feels that Dr. Watts, while of course free to express a dissenting viewpoint, misunderstands his church's concern for civil rights—and, more especially, is out of step with the House of Bishops of the Protestant Episcopal Church. That body adopted the following position paper on Christian obedience at the church's 1964 general convention in St. Louis:

POSITION PAPER ON CHRISTIAN OBEDIENCE OF THE HOUSE OF BISHOPS

(Christian Social Relations at General Convention, 1964)

THE CHURCH SPEAKS

Christian teaching holds that civil authority is given by God to provide order in human society, and that just human law is a reflection of immutable divine law which man did not devise. Under all normal circumstances, therefore, Christians obey the civil law, seeing in it the will of God. Yet it must be recognized that laws exist which deny these eternal and immutable laws. In such circumstances, the church and its members, faithful to Scripture, reserve the right to obey God rather than man.

Thus, the church recognizes the rights of any persons to urge the repeal of unjust laws by all lawful means, including participation in peaceful demonstrations. If and when the means of legal recourse have been exhausted, or are demonstrably inadequate, the church recognizes the right of all persons, for reasons of informed conscience, to disobey such laws, so long as such persons:

(a) Accept the legal penalty for their action;

(b) Carry out their protest in a nonviolent manner, and;

(c) Exercise severe restraints in using this privilege of conscience, because of the danger of lawlessness attendant thereon.

Before Christians participate in such actions, they should seek the will of God in prayer and the counsel of their fellow Christians.

HEALTHY STEPS IN THE CIVIL RIGHTS FIELD

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, since becoming Chairman of the President's Committee on Equal Employment Opportunity, Vice President HUBERT HUMPHREY has been conducting—at the President's request—a continuing review of the Government's civil rights efforts.

Now he has recommended, and the President has acted upon, several major changes designed to strengthen the operation and direction of the Government's civil rights program.

Under the new plan, there will be greater emphasis on the duties and performance of the operating departments and agencies of the Federal Government. Power and responsibility to act on civil rights matters, heretofore diffused among various interagency committees, will now be given directly to the officials and administrators who operate the Government.

The functions of the President's Committee on Equal Employment Opportunity, for example, will now be transferred to existing agencies. Each Cabinet officer, agency head, and executive of the Federal Government will now have responsibility for enforcing compliance with our civil rights laws.

The Civil Service Commission, which controls Federal personnel policies, will now have direct responsibility for enforcing nondiscrimination. The Secretary of Labor, who as Vice Chairman of the Equal Employment Opportunity Committee has had the primary responsibility for insuring compliance by Government contractors, will now have the authority to insure that compliance directly as part of his responsibilities in administering the Department of Labor.

As the Vice President has pointed out in his recommendations to the President, the termination of the Council of Equal Opportunity and the Committee on Equal Employment Opportunity does not mean that we have eliminated all the civil rights problems in this country. Indeed, in his words:

> The more difficult and complicated part of the journey to our national goal of a prejudice-free society lies ahead of us.

What these recommendations do mean, however, is that we are streamlining the civil rights programs and procedures of the Government so as to achieve even more in the fight for civil rights, and to do so with thoroughness and efficiency.

The Vice President, as the President's No. 1 adviser and counselor on matters of civil rights, deserves the thanks and the gratitude of the people and the Congress. He has labored long hours on behalf of full freedom and equal opportunity for all our citizens. These latest recommendations are merely another addition to a long and admirable record of achievement in this field.

STATE AND LOCAL GOVERNMENT AS OPPOSED TO FEDERAL GOVERNMENT

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BERRY. Mr. Speaker, last night's news reports were a little sickening to one who believes in State and local government as opposed to the Federal Government being all things to all people.

These reports carried two more instances of invasion—one in the proposal banning billboards—the other in the law which the President will probably sign today, controlling water pollution.

Without some amendment, the Secretary of Commerce will be the billboard boss and, even in commercial areas, where signs will be permitted, he will have complete regulation over the size and the number of billboards to be permitted. As bad as is the taking away of local controls of billboards is the law which provides that final word on water pollution control is given to a new Assistant Secretary of Health, Education, and Welfare to set all standards and make all regulations on water quality standards.

Mr. Speaker, at the rate this Congress has gone this year, in a few years State lines will be nothing but geographic markers, with Federal bureaucrats deciding what is good for the people in every area of this vast Nation.

THE ADMINISTRATION MAY HAVE BEEN POORLY ADVISED IN NOT SEEKING SENATE CONFIRMATION OF THE CHAIRMAN OF THE NATIONAL ENDOWMENT FOR THE ARTS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the administration may have been poorly advised in not seeking Senate confirmation of the Chairman of the National Endowment for the Arts.

The House took up H.R. 9460, the National Foundation on the Arts and the Humanities Act of 1965 on September 15, at which time the gentleman from Minnesota [Mr. QUIE] offered an amendment providing that the Chairman of the National Endowment for the Arts "shall be appointed by the President, by and with the advice and consent of the Senate."

Two days later, on September 17, the person slated, according to some reports, to be Chairman of the National Endowment for the Arts, Roger L. Stevens, who is now the Special Assistant on the Arts at the White House, resigned from the Board of the National Symphony Orchestra and cited, as his reason for doing so, the fact that—

> One Congressman raised a point about possible conflict of interest.

The gentleman from Minnesota [Mr. QUIE], in offering his amendment requiring Senate confirmation of the Chairman of the National Endowment for the Arts, said that:

> President Johnson himself has put his radio and television properties in trust while he is serving as President. But the Special Assistant on the Arts in the White House, so far as I know, is still receiving royalties from the Broadway farce-comedies in which he has a major interest.

The Chairman of the National Endowment for the Humanities will be required to be confirmed by the Senate. In view of the resignation of Mr. Stevens from the board of the National Symphony Orchestra because of what he cites as a "possible conflict of interest," questions will undoubtedly continue to be raised as to whether he has resigned from the board of the Metropolitan Opera, and if he has put his commercial interests in trust.

Surely, in as sensitive an area as the arts, the Chairman of the National Endowment for the Arts, with millions of dollars to spend, and the authority to do so without the approval of the members of the Federal Council on the Arts and the Humanities and the National Council on the Arts, should be as clean as a "hound's tooth," and as free of suspicion as Caesar's wife.

I include as part of my remarks an exchange of correspondence between the Special Assistant on the Arts at the White House, and the president of the National Symphony Orchestra Association, which sheds light on the matter I have been discussing:

MEMORANDUM

NATIONAL SYMPHONY ORCHESTRA,
Washington, D.C.

To: The Board of Directors.
From: Osby L. Weir, president.
Date: September 22, 1965.

I enclose copies of correspondence with Roger L. Stevens regarding his resignation from the board of the National Symphony Orchestra Association.

The letters speak for themselves and I am confident that you join with me in my deep regret over the circumstances that caused Mr. Stevens to reconsider his acceptance of election to our board. I have read the congressional debate to which Mr. Stevens refers and I can well understand his desire to avoid controversy over his dedicated service to privately operated cultural organizations.

Enclosures.

THE WHITE HOUSE,
Washington, D.C., September 17, 1965.

Mr. OSCAR L. WEIR,
President, National Symphony Orchestra Association, Washington, D.C.

DEAR MR. WEIR: I regret that I must resign from the board of the National Symphony Orchestra.

During the recent debate on the House floor, one Congressman raised a point about possible conflict of interest with regard to my being a director of the National Symphony.

This would not be so bad, but there may be problems in this area when the Kennedy Center is completed. When I accepted membership, I thought we could worry about such a situation when the building was finished.

Also, if by chance the National Symphony should qualify for funds under the National Endowment and since the question has already been raised in Congress, the orchestra might be prevented from receiving some necessary money.

Thus, although I deeply regret this action, I must herewith tender my resignation.

Sincerely,

ROGER L. STEVENS,
Special Assistant on the Arts.

SEPTEMBER 21, 1965.

The Honorable ROGER L. STEVENS,
Special Assistant on the Arts,
The White House, Washington, D.C.

DEAR MR. STEVENS: I have received your letter of September 17 in which you resign from the board of the National Symphony Orchestra Association. This is a matter of the greatest regret to me, as I know it will be to our colleagues on the board. I would do my best to try to persuade you to reconsider if it were not for the compelling reasons that you give which relate to national policy and to the future chances of the Washington National Symphony to qualify for funds under the newly passed National Endowment for the Arts.

In any case, I know that we can count on your friendly, though objective, interest in any proposals made by the Washington National Symphony that might be referred to you either in connection with the Kennedy Center or the forthcoming National Endowment.

Thank you for having been willing to accept election to our board in the first place and before the current circumstances arose. Your participation was a notable vote of confidence in our organization.

Ordinarily I would withhold notifying our colleagues of your decision until the next board meeting, but in view of your distinguished position there is bound to be talk and I therefore think it advisable to send copies of our exchange of letters to our fellow board members.

With kindest personal regards, I am,
Sincerely,

OSBY L. WEIR,
President.

WIDNALL PREDICTS CONGRESSIONAL ACTION IF NEW COMMERCE DEPARTMENT REGULATIONS DIRECTED AGAINST ARAB BOYCOTT DO NOT PRODUCE QUICK RESULTS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. Mr. Speaker, yesterday, the Department of Commerce announced regulations bringing into force a new export policy designed to discourage U.S. companies involuntarily from assisting and being a party to the vicious trade practices imposed by the Arab boycott. This new policy, as it appeared in yesterday's Federal Register, fulfills the statutory requirement included in the 1965 extension of the Export Control Act. It was precipitated entirely by Members of Congress from both sides of the aisle who for years have demanded that the practices involved in the Arab boycott be prohibited if they involved involuntary participation by American companies. Earlier this year extensive hearings were held on this aspect of the Export Control Act and after hearing several top administration officials request merely a rather weak declaration of policy, a majority of the Committee on Banking and Currency on May 29 insisted that such a statement of U.S. policy against the Arab boycott, by itself, was completely insufficient. These 17 members of the committee in their supplemental views to H.R. 7105 demanded that the Department of Commerce prohibit all U.S. companies from furnishing information or signing agreements which would further the interests of the Arab boycott.

When the bill came before the House on June 8, the Johnson administration was face to face with an outright congressional rebuke of its weak solution to a vicious situation. The fact that a majority of the House was in favor of an outright prohibition against any and all forms of involuntary assistance to the Arab boycott request was made clear in several press reports preceding the day of debate. Within minutes before the bill came to the floor, however, a deal was worked out with the State and Commerce Departments and those of us who supported outright prohibition were defeated in a nonrecord vote on our amendment.

Nevertheless, the new Commerce Department regulations declare it to be the policy of the U.S. Government to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States, together with a statement that our Government will "encourage and request" U.S. exporters to refuse to take any action, including the furnishing of information or signing agreements supporting such foreign boycotts or restrictive practices.

Under yesterday's regulations, U.S. companies will be required to report to the Secretary of Commerce any requests for the furnishing of information or the signing of agreements helpful to such restrictive trade practices as the Arab boycott. Failure to comply with these requirements could bring a penalty of up to $1,000.

Mr. Speaker, I concede that this may be a step in the right direction. Nevertheless, the regulations make clear that U.S. companies, while being encouraged and requested to refuse to be a party to Arab boycott requests, are not legally prohibited from doing so. Therefore, the opportunity for the Arab boycott to continue to blackjack U.S. companies still remains.

It has been said that a journey of a thousand miles requires that a first step be taken. While these new regulations might constitute such a first step, they nevertheless represent the first step on a completely needless journey of compromise and dilly-dallying. I remain convinced that the only way to treat this thorn in the side of free international trade is for the U.S. Government to prohibit outright such practices. Only in this manner can blackmailed U.S. companies secure the needed protection from their Government.

Those of us who insisted upon an outright prohibition will watch carefully the results of the new Commerce Department regulations. If they have no real effect upon the Arab boycott as it affects American exporters, I want to serve notice on the administration that new legislation will be offered in the second session of this Congress. I have no doubt whatsoever that if these regulations do not quickly produce significant results, both the House and the Senate will vote overwhelmingly for an outright prohibition.

NEW ENGLAND "JOB-PIRACY" CHARGE UNSUPPORTED BY FIGURES IN "RIGHT-TO-WORK" REPEAL ISSUE

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on July 28, during the debate on H.R. 77, to repeal section 14(b) of the Taft-Hartley Labor Act, I stated—page 18620 of the RECORD—that, as a Representative from a Northern State which does not have a right-to-work law, I was concerned lest the existence of such laws in other States operate to entice jobs and industries away from my State. In some detail, I described the research I conducted into this aspect of this very complex question and I reported my findings, based on the expert studies of economic specialists, that no such danger existed.

Further study since that time bears out this finding and I wish to take this opportunity of presenting these observations to my colleagues.

A careful examination of the latest reports of the Labor Department's Bureau of Labor Statistics shows that, if wages were the determining factor, many New England States actually should be pirating industry away from the higher-wage right-to-work States, and not the other way around.

Average wage rates for production workers in manufacturing for 1964, as reported in employment and earnings of the U.S. Department of Labor for May 1965, shows the following—based on 20 right-to-work States including Indiana, which had such a law in 1964 but does not now:

Seven of the 20 right-to-work States have higher wage rates than Connecticut.

Eight have higher wage rates than Massachusetts.

Twelve have higher wage rates than Rhode Island and Vermont.

Fifteen have higher wage rates than New Hampshire and Maine.

Wage rates in Florida and Rhode Island are exactly the same.

The southern right-to-work States of Alabama, Florida, Virginia, and Tennessee all have higher wage rates than New Hampshire and Maine.

The hourly wage rates listed for New England are:

New Hampshire, $2; Maine, $2; Massachusetts, $2.37; Vermont, $2.08; Rhode Island, $2.11; Connecticut, $2.62.

The hourly wage rates listed for the right-to-work States are given as: Nevada, $3.16; Wyoming, $2.82; Indiana, $2.81; Utah, $2.77; Arizona, $2.72; Iowa, $2.71; Kansas, $2.65; Texas, $2.42; Ne-

braska, $2.36; South Dakota, $2.34; North Dakota, $2.31; Alabama, $2.17; Florida, $2.11; Virginia, $2.04; Tennessee, $2.03.

Thus, as I stated during the debate on the bill, there is no factual basis for charges that right-to-work laws in other States have ever harmed, are harming now or ever will harm States that do not have right-to-work laws. Indeed, wage rates are far down the list of economic factors that determine where an individual industry decides to locate.

The "job-piracy" charge in connection with this legislation simply has no basis in fact.

SELF-HELP APPRENTICE PROGRAM FOR INDUSTRY

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KEITH. Mr. Speaker, I have today introduced legislation to spur job training by private industry. Titled the "Human Investment Act of 1965," the bill would provide a 7-percent tax credit to employers for certain authorized expenses of training their employees in new job skills.

When Congress 3 years ago enacted a tax credit to encourage plant modernization and investment in new equipment, I think we failed to realize at that time the fact that the most important kind of capital a nation can have is its human capital—the skills, experience, and capabilities of its working men and women.

This bill is companion to a host of similar measures filed within recent weeks in the House and Senate. House cosponsors include seven members of the Ways and Means Committee and all three Republican House members of the Joint Economic Committee.

This bill is designed to give employers incentive to broaden and expand apprenticeship training, on-the-job training, cooperative work-study programs, tuition-refund programs, and the expenses of organized group and classroom instruction.

This approach places the responsibility for increased job training, not on the Federal or State Governments, but where it rightfully belongs—on the Nation's greatest job trainer, the private enterprise system.

It can be of equal benefit to employer and employee.

The bill's language is virtually parallel to that of the investment credit provisions of the Revenue Act of 1962, as amended last year. By requiring that a trainee be on the employer's payroll for at least 3 months after the completion of training—with exceptions for disability, voluntary separation, or firing for cause—the bill helps to insure that trainees will actually be put on the payroll after the training period. This provision would overcome the objection to government-run training programs, to the effect that trainees are often not able to find appropriate work even after completing Government-sponsored training programs.

This is an attempt to meet the increasingly serious problems of structural unemployment caused by a labor force ill-fitted for existing and developing job opportunities. Its intent is to advance workers up the skill ladder and thereby open vacancies at the bottom for the currently unskilled and unemployed.

Its major premise is that private business has—over the years—learned how to obtain the most results per training dollar, and should be encouraged to broaden its training programs to meet a growing national need.

The idea of a reasonable tax incentive is—to me—a much preferable alternative to the creation of further Government programs, with all their inherent bureaucracy, inefficiency, and administrative expense.

I would like to take this opportunity to commend my colleague in the House, the gentleman from Missouri, TOM CURTIS, for his outstanding work on this proposal, and equally, Senator PROUTY, who has organized and led the concurrent effort in the Senate.

Mr. Speaker, the distinguished Senator from Vermont has prepared a fact sheet explaining the purpose and mechanics of this legislation. It would be helpful to Members who would like to know more about this commendable program to include that information at this point, and so it follows:

THE HUMAN INVESTMENT ACT OF 1965

(Revised version of S. 1130, first introduced by Senator WINSTON L. PROUTY, Republican of Vermont, on Feb. 17, 1965.)

Purpose: "To provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed."

Method: The act offers employers a tax credit toward certain expenses of programs designed to train prospective employees for jobs with the company or retrain current employees for more demanding jobs with the company.

Amount of tax credit: 7 percent of the allowable training expenses, with a maximum of $25,000 plus 25 percent of the taxpayer's tax liability in excess of $25,000. This credit would be in addition to credits provided for by other parts of the tax code.

Allowable employee training expenses:

1. Wages and salaries of employees who are apprentices in registered programs.

2. Wages and salaries of employees enrolled in on-the-job training projects under section 204 of the Manpower Development and Training Act of 1962.

3. Wages and salaries of employees participating in cooperative education programs involving alternate periods of work and study.

4. Tuition and course fees paid by the employer to colleges or business or trade schools for the training of employees and prospective employees.

5. Home study course fees paid by the employer to colleges or accredited correspondence schools for the training of employees and prospective employees.

6. Expenses to the taxpayer of organized group instruction, including classroom instruction, of employees and prospective employees, including instructors' salaries, books, equipment, etc., but not the salaries of trainees.

Other provisions:

1. Allowable expenses would have to be tax deductible under section 162 of the code, trade or business expenses.

2. To claim credit for training a given individual, that person would have to remain on the payroll for at least three months after completion of the training. Exceptions are made for death, disability, voluntary separation, and firing for cause.

3. The tax credit could be carried back 3 years and carried forward five years.

4. No credit would be allowed for the training of managerial, professional, or advanced scientific employees. The intent of the act is to encourage business to upgrade the skills of those at the bottom end of the skill and income ladder, not middle management or professional employees.

LOBBYING MOST DISTRESSING ASPECT OF SUGAR BILL

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the cost of the Sugar Act proposal which is now before the Committee on Rules is staggering—about $700 million a year above present world prices, or $3.5 billion for the 5-year term. This comes to about $14 premium a year for the average family of four, or $70 for the life of the legislation.

But an aspect of the proposal which is far more distressing than the cost to consumers is the influence of lobbyists.

In the first day's hearings of the Committee on Rules, the gentleman from Missouri [Mr. BOLLING] asked some searching and proper questions. They arose from information I placed in my opposing views published as a part of the committee report. The information compared the country quotas allocated by the Committee on Agriculture with those requested by the administration.

The administration quotas were computed entirely on the history of deliveries of sugar to the United States in 1963 and 1964. Whether the base chosen was the best or not, at least it was a guideline which treated all on the same ground rules. The administration, can explain just how it arrived at individual country quotas and why.

Since the Committee on Agriculture came up with substantial changes, explanations are in order. Presumably, changes were not desired by the State Department so that makes full explanation all the more important.

Did lobbyists influence the details of the legislation, and particularly the country quotas, and if so, to what extent? That unpleasant question cannot be dodged, and the sooner applicable information is laid on the record, the better for all concerned. If the lobbyists were not influential this fact should be known, in order to clear away this cloud.

If the lobbyists were influential, the Congress take steps to eliminate future influence.

At this point it would be well to recall the questionable activities of two of the men presently registered as sugar lobbyists—John A. O'Donnell and Ernest Schein. They were both involved in a Senate investigation which showed, among other things, that O'Donnell had distributed to certain Members of Congress for campaign purposes thousands of dollars provided to him for that purpose by the Philippine Government. This sorry chapter is recorded in Congressional Quarterly Almanac of 1963 beginning on page 303.

Here are brief sketches of the foreign sugar lobbyists as published August 27, 1965 by Congressional Quarterly:

FOREIGN LOBBYISTS

Reports filed with the Justice Department under the Foreign Agents Registration Act, as summarized in the press, and registrations made under the 1946 Federal Regulation of Lobbying Act, as recorded by CQ, gave the following picture of lobbying by spokesmen for foreign governments and companies seeking larger sugar quotas. Lobbyists registrations mentioned below are those filed under the Federal Regulation of Lobbying Act. In some cases, the same firm registered several times for a client; the latest such registration is given.

HAITI

The Haitian American Sugar Co. was represented by James H. Rowe, Jr., of the Washington law firm of Corcoran, Foley, Youngman & Rowe. Both Rowe and the firm's senior partner, Thomas G. Corcoran, were said to be close friends and advisers of President Johnson. Rowe registered as a lobbyist for Haitian American March 23, 1962.

INDIA

India Sugar Mills Association of Calcutta was represented by the law firm of Dawson, Griffin, Pickens & Riddle, which registered as a lobbyist for the association June 30, 1964. Donald S. Dawson of the firm was a former Truman administration official. The firm's compensation for representing the association was listed as $20,000 a year, with a ceiling of $100,000 over the life of the revised Sugar Act.

AUSTRALIA

The Colonial Sugar Refining Co., Ltd., of Sydney, Australia, was represented by the law firm of Cleary, Gottlieb, Steen & Hamilton (of which Under Secretary of State George W. Ball was formerly a member); by Robert C. Barnard; and by ex-Representative Charles H. Brown, Democrat, of Missouri, 1957–61. Cleary, Gottlieb, Steen & Hamilton registered on several occasions as a lobbyist for Colonial, most recently August 16, 1965, when the firm stated that it represented the interests of the entire Australian sugar industry. Also on August 16, Barnard registered as a lobbyist for Cleary, Gottlieb, Steen & Hamilton, giving his legislative interest as "legislation affecting (the) Australian sugar industry." Ex-Representative Brown registered May 22, 1961, as a lobbyist for Colonial. Press reports said his compensation was $2,000 a month.

THAILAND

Representing Thailand was former Representative George M. Grant, Democrat, of Alabama, 1938–65. He was said to be receiving $1,500 to appear before the committee, plus $3,100 for other expenses.

VENEZUELA

Press reports said Charles Patrick Clark had agreed in June to represent Venezuelan interests for $50,000.

MEXICO

The law firm of former Secretary of Interior Oscar L. Chapman (1949–53) had, since 1955, represented the Union Nacional de Productores de Azucar, Mexico, for which it registered as a lobbyist January 31, 1955, and February 14, 1961. The firm, currently called Chapman, Friedman, Shea, Clubb & Duff, was said to have signed an agreement in 1961 under which it received $50,000 a year, plus 25 cents for each ton increase in Mexico's quota over the 1961 level, for its services. The contract was reportedly renewed in 1964 without the 25-cent contingency provision.

GUADELOUPE AND MARTINIQUE

The law firm of Surrey, Karasik, Gould & Greene registered August 16, 1965, as a lobbyist for Associated Sugar Producers of Guadeloupe and Martinique.

DOMINICAN REPUBLIC

Walter Sterling Surrey, of Surrey, Karasik, Gould & Greene, acted as counsel at the hearings to the South Puerto Rican Sugar Co., a U.S.-owned firm with large holdings of sugar in the Dominican Republic.

BRITISH WEST INDIES, BRITISH HONDURAS, ECUADOR, AND PANAMA

The law firm of Quinn & Quinn, June 3, 1965, registered as a lobbyist for sugar interests in several Latin American countries: British West Indies Sugar Association; Compania Azucarera Valdez, Ecuador; Azucarera Nacional, Panama; and Corozal Sugar Co., British Honduras. The firm's Arthur L. Quinn registered personally in 1962 for the British West Indies Sugar Association. Press reports said Quinn & Quinn was receiving $20,000 a year for representing the British West Indian sugar interests, $1,000 a month for the Ecuadorian, and $18,000 a year for the Panamanian.

PERU

Arnold Shaw, a Washington attorney, registered April 26, 1965, as a lobbyist for the Comite de Productores de Azucar, Lima, Peru, stating his compensation for 1965 for lobbying as $11,250. Press reports said he was to receive $15,000 a year overall from the Peruvian sugar interests when Sugar Act legislation was before Congress, and $7,500 in other years.

CENTRAL AMERICA

Press reports said Sheldon Kaplan and Rocco Sicilliano (who served as a personnel aid to President Eisenhower) had formed a Latin American Sugar Council in November 1962 to represent Costa Rica, Guatemala, Nicaragua, and El Salvador sugar interests, at $5,000 a year each, and Honduran sugar interests, at $2,500. CQ records showed that Kaplan registered as a lobbyist in 1960 for the Guatemala sugar producers.

BRAZIL

The firm of A. S. Nemir Associates reportedly was representing Brazilian sugar interests.

PHILIPPINES

John A. O'Donnell, a former member of the Philippine War Damage Commission (1947–51), registered February 17, 1965, as a lobbyist for the Philippine Sugar Association and the National Federation Sugar Cane Planters, Manila. O'Donnell's activities on behalf of Philippine war claims applicants were the subject of a congressional investigation in 1963. (1963 Almanac, p. 303.)

COLOMBIA

Ernest Schein, a former employee of the Philippine War Damage Commission and associate of O'Donnell, registered as a lobbyist May 21, 1962, for the Distribuidora de Azucares, Bogotá, Colombia. Press reports said Schein was receiving $15,000 a year to represent Colombian sugar interests. His name also figured in the 1963 congressional investigation involving O'Donnell.

SOUTHERN RHODESIA

The firm of Purcell and Nelson registered as a lobbyist March 20, 1964, for Sugar Sales Ltd., of Southern Rhodesia. Reports said the firm was receiving $5,000 from Rhodesian sugar interests to present their case.

TAIWAN

Robert L. Farrington, a former Agriculture Department official (solicitor, 1954–56; general counsel, 1956–59, among other jobs) registered May 8, 1964, as a lobbyist for the Chinese Government Procurement and Services Mission, Division for Taiwan Sugar Corp. Press reports said he was receiving $250 a month to represent Taiwanese sugar interests.

MAURITIUS

Washington lawyer James N. Earnest, registered as a lobbyist September 1, 1964, for the Mauritius Sugar Syndicate. Press reports said he was receiving 5,000 British pounds ($14,000).

SOUTH AFRICA

The law firm of Casey, Lane & Mittendorf registered as a lobbyist June 22, 1962, for the South African Sugar Association. In 1964 the firm reportedly received a fee of $24,000 from the association.

MADAGASCAR

Seymour S. Guthman registered as a lobbyist May 12, 1964, for the Syndicat des Distillateurs et Producteurs de Sucre de Madagascar, which was said to be paying him $625 a month.

ADDRESS OF MR. STANISLAW MIKOLAJCZYK

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, as we know, the situation in foreign affairs continues to deteriorate, in substantial part due to the failure of the Department of State and the President's foreign policy advisors to recognize the fundamental problems in Eastern Europe. This is especially tragic since there are outstanding exile leaders of the respective captive peoples of Eastern Europe who can properly advise the administration of true conditions within their countries.

One of these outstanding leaders is Mr. Stanislaw Mikolajczyk, chairman of the Polish Peasant Party and former Prime Minister of Poland. I enclose as a continuation of my remarks excerpts from his address before the annual Harvest Thanksgiving Day sponsored by the Alliance of Friends of the Polish Village in America, held in Chicago on September 5:

I myself came from the part of Poland, which enjoyed a relatively higher standard of living—not, because peasants were in majority in this part of Poland, but, because of the advanced industrialization based on the processing of their own agricultural products. In this part of Poland the peasants were quickly adopting the new methods of production in agriculture, and therefore receiving better harvests from their soil, and higher income from their work in the village. In fact the rural population in that part of Poland was in the minority.

The unfavorable climatic and poor soil conditions were overcome by the independ-

ent agricultural organizations and the cooperatives. Also we were helping ourselves by the wide territorial self-government. This is the way it was before the Second World War and this part of Poland is today still leading in the national agricultural production.

Can a citizen of today's Poland even dream about the just cutting of the national loaf of bread?

Certainly, not.

There are no free elections in Poland.

There are no independent agricultural organizations.

And the free territorial self-government does not exist any more.

The last elections in Poland, like the previous ones, were only a Communist comedy. The citizens did not have a right to elect or to choose, but only a right to vote for the Communist agents of Moscow, who were brought to Poland and imposed by Moscow on the Polish nation.

Not Poles, but the Communist agents are deciding about the cutting of the national loaf of bread. In addition, the Communists are using the work of Poles and the income of the Polish Nation to subsidize the Communist aggression against the peoples of the free world.

What is even worse, the Poles deprived of their freedom by the Moscow aggressors are forced to pay for the Communist poisoning of the younger generation and for the Godless education full of lies and immoral depravations.

Poles have to defend Cardinal Wyszynski, Polish clergy and the Catholic Church and help them in their fight against the communization of Poland.

We should increase our efforts, and intensify our fight for the just division of the nation's loaf of bread in Poland, because of the great injustice being committed against the Polish nation.

Today, however, we have to think in global terms. When the Communist aggression against the free world is constantly spreading, you in Chicago took a right stand in your resolutions on the Polish Peasant Day.

You supported in those resolutions the efforts of President Johnson to stop the Communist aggression against the free world—in Tibet where the people were deprived of their freedom and independence—in Vietnam, and in the Dominican Republic.

We wish the President, as we wish our brothers in Poland, that the efforts and sacrifices of the American people could bring as early as possible the expected results. We wish that out of this fight and sacrifices could also come a relief for our brothers in Poland. We wish that the will and determined fight for equal rights and freedom of all peoples, regardless of their color or origin will also include the Polish people.

We believe that the Polish nation celebrating a thousand years of its Christianity has the same right to independence and freedom as the nations of Far East and Africa, which justly obtained their independence in recent years.

Seventy years of the organized work of the Polish peasant movement is not only an enormous effort of our forefathers with Wincenty Witos as a leader at the top but long years of fight and work for the enlightenment and education in the civil rights of all the common people in Poland. This work has already paid good dividends: After the First World War—free and independent Poland with an access to the Baltic Sea; the acceptance of the first democratic constitution in 1921; the land reform; the establishment and the organization of the state administration are just a few examples.

This education and tradition have guided us in our fight against the Nazis during World War II, and it helped us very much in the fight against the new Communist occupants of Poland after the war.

The most important result of those 70 years of work and fight of the Polish peasant movement is the fact that out of all the nations behind the Iron Curtain, Poland has today the smallest percentage of the land in the Communist collectives, and Communists have most troubles in their efforts to communize the Polish villages. The few existing Kolchozes in Poland were liquidated by the Polish peasants immediately after Stalin's death.

The ideals of the Polish peasant movement are so deeply rooted in the souls and hearts of the people of Poland, that even the long years of the occupation by the enemy were unable to destroy them.

This is the most important heritage of the Polish peasant movement in its 70 years of work and fight.

We believe that in this heritage lies the power, which in the future will bring to Poland the just cutting of the nations loaf of bread. Today this heritage forms the base for the great drive of the Polish people toward freedom and independence.

There is no doubt that the Polish nation meets already today all the requirements to qualify her for help from the great free nations of the world in their struggle for independence and freedom.

Mr. Speaker, Mr. Mikolajczyk's address was delivered to leaders of Albania, Bulgaria, Czechoslovakia, Lithuania, Serbia, and Ukraine peasant movements who likewise with great authenticity speak for their oppressed brethren held in bondage by the Communist colonial dictatorships. It is my hope that their words and observations will receive more respect and review from our foreign diplomats than they have heretofore.

SPECIAL ORDER GRANTED

Mr. GROSS. Mr. Speaker, in view of the remarks of the distinguished majority leader, I ask unanimous consent that after completion of the legislative business of the day and special orders previously entered, I be permitted to address the House for 1 hour on December 24, 1965.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MEMORIAL TO FORMER SENATOR ELBERT THOMAS

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, because of my great affection and regard for former Senator Elbert Thomas I would like to insert in body of the RECORD a copy of a letter I recently wrote his son on the passing of the Senator, and an article from the Washington Post on his death.

SEPTEMBER 21, 1965.

Mr. W. S. THOMAS,
Lawton, Okla.

DEAR MR. THOMAS: Your loss of your great father and our cherished friend and neighbor for so long in Washington saddened Mrs. Pepper and me very much. I was not only the colleague of your father in the Senate but Mrs. Pepper and I were warm friends of Senator and Mrs. Thomas. Your father was a great statesman, a dedicated American, a devoted public servant, a gracious and charming gentleman.

Mrs. Pepper and I shall ever cherish the memory of our happy associations and friendship with the Senator and Mrs. Thomas. Please extend to the other members of your family our deepest sympathy.

Believe me,

Always sincerely,

CLAUDE PEPPER,
Member of Congress.

[From the Washington (D.C.) Post, Sept. 20, 1965]

ELMER THOMAS DIES, 24 YEARS A SENATOR

Former U.S. Senator Elmer Thomas, 89, a Member of Congress for 28 years, died yesterday in a Lawton, Okla., hospital after surgery.

The lifelong Democrat represented Oklahoma in the Senate for 24 years until his defeat in the 1950 primary by Senator MIKE MONRONEY, Democrat, of Oklahoma.

After losing his last senatorial campaign, Mr. Thomas practiced law in Washington until he returned to Oklahoma with his wife in 1957. He once explained why he stayed in Washington even though he was no longer a Senator.

"I'm a bit like a prizefighter—it takes a little time to cool him off before he goes home."

But Mr. Thomas never visited the Senate Chamber where he spent so many years.

"In my time," he said, "I saw so many former Senators hanging around lobbying and asking favors, that it disgusted me."

During his last years in Washington, Mr. Thomas spent much of his time writing three books—"Financial Engineering," "Forty Years a Legislator," and "Legislative History of the Atom Bomb."

He was recognized as an authority on financial affairs, Indian legislation, agriculture, and oil while he was in the Senate.

During the New Deal he was a strong supporter of inflating the currency and making silver legal tender.

"We have taken 43 cents of value out of the dollar during this (the Roosevelt) administration," he said in 1935. "We have got to further cheapen the dollar before we have prosperity."

Mr. Thomas served for many years as chairman of the Senate Agriculture Committee.

Before entering the Senate in 1927, he represented Oklahoma's Sixth District in the House.

Mr. Thomas is survived by a son, W. S. Thomas, of Lawton, and three grandchildren.

INTERAMA—H.R. 30

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, in the debate on H.R. 30 in the House on September 22 I inadvertently failed to comment on the absence from H.R. 30 as amended by the House Foreign Affairs Committee, of the provisions of my H.R. 30 as originally introduced relative to the applicability of the Bacon-Davis Act, as amended (40 U.S.C., sec. 276a–276a–5). I am informed the reason those provisions were deleted from H.R. 30 as

amended by the House Foreign Affairs Committee was that the provisions of the Bacon-Davis Act would apply to any contract for the construction, repair, or rehabilitation of any exhibit by the United States under H.R. 30 without specific reference thereto being made in H.R. 30.

I wish it definitely understood that I am speaking by the authority of the chairman of the board of trustees of the Inter-American Cultural and Trade Center, the State agency which is the legal authority for the operation of the center, that it commits itself, insofar as it may have legal authority in the matter, to see to it that the Bacon-Davis Act does apply to any construction, repair, or rehabilitation in the center under H.R. 30 as amended.

I am further authorized by the chairman of the Inter-American Cultural and Trade Center Authority to state that the authority commits itself to apply the principles of the Davis-Bacon Act to all construction, repairs, or rehabilitation done by the authority at the center with the use of any funds obtained as a loan from the Community Facilities Administration, an agency of the United States; and agrees to the inclusion of a provision to that effect in the formal agreement evidencing the loan of the Community Facilities Administration to the Inter-American Cultural and Trade Center Authority in respect to any construction, repairs, or rehabilitation upon the center premises.

CEASE-FIRE IN KASHMIR

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, the people of the world have breathed a prayer of gratitude to the United Nations for bringing about a cease-fire in the enlarging war between India and Pakistan in which Communist China was threatening to take a part. All honor and tribute to our great President to whom the principal credit for this mighty achievement is due and to the United Nations which brought it about.

These two great countries of India and Pakistan, like all countries, cannot afford the cost of war in treasure not to speak of the priceless assets of human life. Already it is reported that in the war thus far each country has spent enough to build a great steel mill—enough to furnish needed food for millions of hungry people and a better life for countless numbers. It is the earnest hope of the world that the United Nations will continue its good offices until there shall be a fair and honorable settlement of the controversy respecting Kashmir between these two great states.

But aside from the termination of the hostilities between India and Pakistan three other great events have emerged from this episode:

First. The resurgence of the power and authority of the United Nations as the peacekeeping organ of the world—a high in the experience of the United Nations dramatically following the saddening low which only a little while ago brought so much concern to the hearts of the peace-loving people of the world.

Second. The cooperation of the United States and the Soviet Union through the United Nations in terminating this tragic and dangerous war—a momentous example of what these two great countries can do in keeping the peace of the world if they will work together as it was intended they should do when the United Nations was formed.

Third. The setback to the aggressive designs of Communist China against India, and after India vast areas beyond, through the strong voice of the United Nations supported in unity and determination by the United States and the Soviet Union—indeed by the great powers which assumed the obligation to work together in the inception of the United Nations.

Mr. Speaker, let us hope that upon the foundation of this meaningful achievement the edifice of the United Nations shall rise to greater and greater majesty as the instrument of peace, justice, and the promotion of human welfare and dignity in the world.

And let us hope most fervidly, Mr. Speaker, that the Soviet Union will see in this experience the reward of working for peace in the world with the United States and the other peaceloving powers and will in the future dedicate itself to following that course. For if the United States and the Soviet Union with their great might and power will honorably and earnestly work together for the peace and the betterment of mankind, of course with the cooperation of most of the other nations of the world anxious for such a course they can stop war, reduce the danger of a nuclear holocaust, bring about disarmament to the point where no nation shall longer be a dangerous aggressor, and lift all mankind to walk on higher ground than its feet have ever trod.

AIR POLLUTION AND ENVIRONMENTAL HEALTH

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SCHEUER. Mr. Speaker, contamination of the environment is now widely recognized as one of the most important problems of our age. Hardly a day passes when the mass media do not carry news about how air and water pollution affects environmental health.

People in New York City are concerned about the exacerbation of the New York City water crisis by the pollution of the Hudson River. City Councilman Robert Low's important hearings feature the report by Dr. Leonard Greenberg of the Albert Einstein College of Medicine on the deleterious effects of air pollution. The New York State Department of Health reported that:

> The evidence that air pollution contributes to the pathogenesis of chronic respiratory diseases is overwhelming.

These include emphysema, bronchitis, and asthma, although the exact pollutants causing these conditions are unknown. The emphysema rate alone has jumped 400 percent in the last decade. Dr. Frank Rosen, of Maplewood, N.J., has spoken often of the increasing number of Americans affected by allergies.

My district, along with every major metropolitan area throughout the world, is faced with a serious air and water pollution problem.

The scientific problems are complex and require intensive research. Pollution is an inevitable byproduct of our increasingly industrialized society. There are no simple solutions, no panaceas, no magic formulas.

This worldwide environmental health problem demands the attention of all our citizens. It must be attacked by both physical and social science. Biologists, biochemists, physicists, physicians, and sanitary engineers must cooperate with political scientists and communication specialists to find realistic, practical and comprehensive answers to the problems posed by the contamination of our environment.

There is an increasing need to keep informed of the major developments occurring daily in this field. The New York Times in particular should be commended for its excellent, overall coverage of pollution news. Reporters Gladwin Hill and Walter Sullivan have done a remarkable job in giving the public a broad view of developments in this area. But even the New York Times cannot publish all the news needed by the scientific community and I am happy to note that the Environmental Bulletin, a promising new publication, will soon be giving a biweekly review of news and developments in the field of pollution control and environmental health. This will be helpful to both the experts in the scientific community and to those of us in Government who are deeply concerned with this problem.

JOINT STATEMENT OF PRESIDENT OF THE UNITED STATES AND PRESIDENT OF PANAMA ON AREAS OF AGREEMENT REACHED IN CURRENT TREATY NEGOTIATIONS

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I note with great pleasure and a deep sense of pride, that the United States and Panama have just issued a joint announcement covering areas of agreement

which have been reached in the current treaty negotiations. This announcement represents a major step toward the fulfillment of a pledge made by President Johnson in a statement on December 18, 1964. In his remarks the President announced two bold yet prudent decisions regarding the Panama Canal. He said in effect that the United States should press forward, with Panama and other interested governments, in plans and preparations for a sea level canal in this area. The President's second decision was to propose to the Government of Panama the negotiation of an entirely new treaty on the existing Panama Canal.

In order to meet these needs of the future, negotiations between the United States and Panama have been proceeding in a climate of friendship and mutual regard.

In this joint statement of progress the two countries clearly recognize their mutual responsibility for the effective operation and defense of the existing Panama Canal and any new canal which may be constructed in the future.

I heartily endorse these substantive agreements that have been reached so far by the United States and Panama and I look forward with confidence to the new treaties which will benefit the welfare of the hemisphere and provide for the protection and the promotion of peaceful world trade.

THE ANSWERS TO QUESTIONS ASKED ABOUT HOME RULE

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. MULTER. Mr. Speaker, in the staff synopsis forwarded to our colleagues by the chairman of the House District Committee are 65 questions, reproduced on pages 68 to 71 of that document, which were propounded during the course of the hearing in the other body on S. 268 and S. 1118, the latter being the bill passed by the Senate.

It should be borne in mind that the questions were propounded with reference to the bills pending before the Senate and not with reference to the bill as passed by the Senate. They are further outdated by the introduction on Wednesday, September 22, of H.R. 11218 which I will offer as a substitute when the home rule bill is read for amendment.

Since some of our colleagues may nevertheless be interested in the answers to those questions we have every right to expect that the answers would be set forth in the staff synopsis together with the questions so as to avoid the inference that these questions were left unanswered. The questions were fully and completely answered and appear in the record of the printed hearings at pages 300 to 321 thereof. Copies of the printed record are available.

In order to expedite access thereto I am pleased to set forth the answers to those questions exactly as they appear in the printed record of the hearings, as follows:

GOVERNMENT OF THE DISTRICT
OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., March 23, 1965.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: Reference is made to your letter dated March 11, 1965, enclosing a copy of questions presented to the committee by Senator WINSTON PROUTY regarding S. 1118, the home rule bill.

In accordance with the committee's request, I enclose a statement setting forth our views regarding each of the questions. These views have been discussed in detail with representatives of the Bureau of the Budget and are consistent with the views of the administration.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

1. On page 7, line 12, "publish" is defined.

Question. Wouldn't it be wise to define "publish" so that one newspaper is not rewarded with all the District's legal notices?

Answer. Except where competitive bids are required for the more expensive advertisements, any possibility of one newspaper acquiring a monopoly of the District's legal notices is avoided by the rotating of the placement of notices on the basis of dollar volume. At the discretion of the District Council, this policy may be continued. A specific statement on this point in S. 1118 is neither necessary nor desirable.

Question. Why not require publication in two or more newspapers of general circulation or by radio or television, as is done in some Western States?

Answer. The definition is broad enough to permit publication in two or more newspapers successively. Regarding the use of radio and TV as a means of serving public notice, each of these media has disadvantages. A facsimile ballot, for example, cannot be transmitted by radio; extensive texts cannot effectively be presented over either radio or TV. Both media have in the past given wide publicity to civic events in spot announcements and regular programs of 15 to 30 minutes' duration. The legal community, however, has not come to rely on either radio or TV for the detailed printed information it needs. In any event, the reference to newspapers in a definition of "publication" would not appear to be a bar to the use of other news media in those specific instances where such use would prove to be more effective.

1. On page 8, beginning with line 5, the status of the District after enactment is set out. Included in the discussion of status is this sentence: "The District of Columbia shall remain and continue a body corporate, as provided in section 2 of the Revised Statutes relating to said District." Now a decision construing that section, *United States ex rel. Daly* v. *Macfarland*, 28 App. D.C. 552, pointed out that the District was to possess no sovereign or legislative power. Clearly, it is not the intent of the framers of the bill to include that interpretation of section 2 of the Revised Statutes of the District of Columbia when the section is incorporated by reference into the charter.

Question. What description of the District's sovereign and legislative powers would you suggest including instead?

How should this section of the bill be amended?

Answer. The act of February 21, 1871 (16 Stat. 419), provided for a Governor, a secretary, a board of public works, and a legislative assembly for the District. The first section of that act provided—

"* * * That all that part of the territory of the United States included within the limits of the District of Columbia be, and the same is hereby, created into a government by the name of the District of Columbia, by which name it is hereby constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this Act."

The act approved June 20, 1874 (18 Stat. 116), repealed provisions of law relating to the government established by the act of 1871 and established a temporary commission form of government.

The Revised Statutes of the District of Columbia was a codification of District of Columbia laws, restating provision of the act of 1871 which created the territorial form of government. This revision was in preparation over a considerable period of time, and carries the legend "Approved June 22, 1874."

The paradoxical situation of Congress on June 20, 1874, repealing the territorial form of government, and on June 22, 1874, recreating that territorial form, is clarified by the Supreme Court decision, *District of Columbia* v. *Thompson*, 346 U.S. 100 at page 110, where, in footnote 7, the Court said:

"Although the compilation of these statutes carries the notation 'Approved June 22, 1874,' it appears that the President actually approved the bill on June 20, 1874. See House Journal, 43d Congress, 1st sess., pp. 1286–1287."

Section 2 of the Revised Statutes provided:

"The District is created a government by the name of the District of Columbia, by which name it is constituted a body corporate for municipal purposes, and may contract and be contracted with, sue and be sued, plead and be impleaded, have a seal, and exercise all other powers of a municipal corporation not inconsistent with the Constitution and laws of the United States and the provisions of this title."

It is clear that on June 20, 1874, by the two enactments of that date, Congress abolished the territorial form of government for the District of Columbia, but retained the corporate shell of a municipal corporation, thus making it possible for Congress to provide another form of government.

Thus, by the act of June 20, 1874 (18 Stat. 116), Congress provided a temporary commission form of government for the municipal corporation. By the act of June 11, 1878 (20 Stat. 102), established the commission form of government on a permanent basis.

S. 1118, if enacted, would again change the form of the government of the District of Columbia. The draftsmen of the bill felt it necessary to preserve and continue the status of the District of Columbia as a municipal corporation, established by section 2 of the Revised Statutes.

Question 2 implies that the bill should constitute the District of Columbia as a separate sovereignty. This is beyond the power of the Congress. Article 1, section 8, clause 17, of the Constitution provides that the Congress shall have power * * * To exercise exclusive legislation in all cases whatsoever, over * * * the seat of the Government of the United States * * *."

On the matter of sovereignty within the geographical area known as the District of Columbia, attention is called to *Metropolitan Railroad Company* v. *District of Columbia*, 132 U.S. 1, at pages 3 and 9, reading as follows:

"1. The first question, therefore, will be, whether the Distirct of Columbia is, or is not, a municipal body merely, or whether it has such a sovereign character, or is so idenfied with or representative of the sovereignty of the United States as to be entitled to

the prerogatives and exemptions of sovereignty."

* * * * *

"It is undoubtedly true that the District of Columbia is a separate political community in a certain sense, and in that sense may be called a State; but the sovereign power of this qualified State is not lodged in the corporation of the District of Columbia, but in the Government of the United States. Its supreme legislative body is Congress. The subordinate legislative powers of a municipal character which have been or may be lodged in the city corporations, or in the District corporation, do not make those bodies sovereign. Crimes committed in the District are not crimes against the District, but against the United States. Therefore, whilst the District may, in a sense, be called a State, it is such in a very qualified sense * * *."

The fact that the bill would change the form of the government of the District does not alter its status as a municipal corporation. It was pointed out in *Barnes* v. *District of Columbia*, 91 U.S. 540, at page 544–554, that:

"A municipal corporation, in the exercise of all its duties, including those most strictly local or internal, is but a department of the State. The Legislature may give it all the powers such a being is capable of receiving, making it a miniature State within its locality. Again, it may strip it of every power, leaving it a corporation in name only; and it may create and recreate these changes as often as it chooses, or it may itself exercise directly within the locality any or all the powers usually committed to a municipality. We do not regard its acts as sometimes those of an agency of the State, and at others those of a municipality, but that, its character and nature remaining at all times the same, it is great or small according as the Legislature shall extend or contract the sphere of its action."

The District of Columbia does not have, and cannot be given, sovereign power unless the Constitution be amended. Therefore, no suggestion for amending section 201 is offered.

3. On page 9, commencing with line 9, there is provided a council of 15 members from 15 different wards. There is no guarantee whatsoever that there will be two-party representation in the council.

Question. Do you see any need for a two-party system in the District and how would you amend this bill, if at all, to guarantee two-party participation?

Answer. A two-party system in the District of Columbia is desirable. However, two-party participation in the government cannot be legislated. You can only legislate to provide every opportunity for two-party representation. Therefore, specific provision guaranteeing two-party representation would be inappropriate.

Question. What would be your reaction to providing for a five-ward system with five persons elected from each ward, no more than four of whom would be of the same party?

Answer. At least one councilman of the proposed five elected from each ward to be a different party has some merit in that the 4-to-1 representation roughly equates the present registration ratio of the two major national parties in the District of Columbia. However, if this registration should change to, say, 9 to 1, the situation may result in having one-fifth of the council represent only one-tenth of the registered voters. Consequently, the language of section 301 of S. 1118, as presently written, is preferred.

4. On page 9, line 22, restrictions are put on those desirous of becoming members of the council. They cannot hold other elective public office or an appointive position paid for out of District of Columbia funds. "Appointive" here is not defined.

Question. It would not mean one holding a District government position as an employee under a civil service or merit system, would it?

Answer. All employees of the District government, including members of the Board of Commissioners, hold appointive offices. Therefore, District of Columbia employees, including those holding District positions under a civil service or merit system, would not be eligible for membership on the District Council under present terms of section 302 of S. 1118. This section does not prohibit any such person from standing for election to the council, but if elected, resignation from the appointive office held would be mandatory.

Question. Could a member of the President's Cabinet with the proper residence and voting qualifications be a member of the council?

Answer. Yes, but it is understood that he could not remain a member of the President's Cabinet if he also held such a local office.

Question. Could the head of any of the independent regulatory agencies also hold membership on the city council?

Answer. Yes; but it is understood that he could not remain head of the independent regulatory agency if he also held such a local office.

It would seem to me that any nonelected Federal official who met the residence and voting requirements might also be a member of the city council; additionally, any District or Columbia government employee who didn't hold an appointive office could also be on the city council.

Question. Because the new city government and the Federal Government are both competing and concurrent sovereigns wouldn't this arrangement open up grave questions of ethics and loyalty between masters?

Answer. The question presented contemplates that the Federal and District Governments are "competing and concurrent sovereigns" and that such an arrangement could open up questions of ethics and loyalty between masters. This is an erroneous assumption. The District government is not a sovereign. The only sovereign in the District is the Federal Government. See answer to question 2 preceding. Also, it is to be noted that District employees cannot serve on the council.

5. Each member of the council, except the chairman, is to get $9,000 per year; yet he can also be a District or Federal employee. If public employees are excluded from membership on the council a large segment of the city's population will be made ineligible for participation. (It is estimated that 213,000 out of a total of 803,000 residents are public employees.)

Question. Should the council be available for moonlighting by those already on public salary?

Answer. Yes; if they can do so without detriment to their jobs. The District council should not be deprived of their reservoir of talent. However, District employees could not serve in view of the provisions of section 302.

Question. Would you recommend that public employees participating as council members have their compensation reduced by their salary from public funds? See section 903 on bottom of page 76 and top of page 77.

Answer. No; because it is assumed that their council work would not be detrimental to their performance as public employees.

6. How do these council salaries compare with the salaries paid persons in similar capacities in cities of comparable size?

Salaries of councilmen in cities with 500,000 or more population

Name of city	1960 population (in thousands)	City council	
		Number of members	Annual salary
New York City	7,782	35	$10,000
Chicago, Ill	3,550	50	8,000
Los Angeles, Calif	2,479	15	12,000
Philadelphia, Pa	2,003	17	5,000
Detroit, Mich	1,670	9	12,000
Baltimore, Md	939	21	6,500
Houston, Tex	938	9	3,600
Cleveland, Ohio	876	33	5,000
Washington, D.C	763		
St. Louis, Mo	750	29	5,000
Milwaukee, Wis	741	20	9,000
San Francisco, Calif	740	11	4,800
Boston, Mass	697	9	5,000
Dallas, Tex	679	9	1,040
New Orleans, La	627	7	10,000
Pittsburgh, Pa	604	9	
San Antonio, Tex	[1] 587	9	1,040
San Diego, Calif	573	7	5,000
Seattle, Wash	557	9	10,000
Buffalo, N.Y	532	15	8,500
Cincinnati, Ohio	502	9	8,000

[1] City manager form.

Source: The Municipal Yearbook, 1964, pp. 92–93.

7. Question. Should some limit be placed on the so-called additional allowances for expenses available for the Council's use on its own motion?

Answer. See answer to No. 38.

8. On page 11, beginning on line 5, the Board of Commissioners is abolished, and all provisions of law relating to the Board or the individual Commissioners and their assistants are repealed.

Question. What happens to the employees of the Board and the individual Commissioners and their assistants? What job security and protection are provided for them?

It is my reading of section 1001(c), appearing on pages 78 and 79 that the new city government is under no obligation to keep them. Technically, they are transferred to the Council along with the property, records, and unappropriated funds but the Council can fire them if they find them unnecessary to the performance of Council functions.

What appeals procedures are open to them? Section 1001(d) implies that their civil service status is protected only if they are transferred to other jobs but is not protected when they are fired.

Answer. Employees transferred to the Council who have civil service status prior to transfer, would retain their civil service status, rights, and protections after transfer. As to the individual Commissioners, no job protection is specified for them. However, since the Commissioners are appointed by the President with the advice and consent of the Senate, it does not seem justified that such a law as is proposed in S. 1118 should furnish protection to Presidential appointees. As to employees separated after transfer to the Council, such employees would retain all protection now held by them by virtue of section 402(4) of the bill (including such appeal rights to the U.S. Civil Service Commission as they now have if fired), or would be given coverage under a system provided for by the proposed Council.

9. Section 321(b) on page 11 reads like the 10th Amendment to the U.S. Constitution. All the powers of the former Board of Commissioners not specifically conferred on the Mayor are reserved to the Council. One of the powers specifically conferred on the Mayor appears on page 30, line 17, to-wit: "He is authorized to issue and enforce such administrative orders, not inconsistent with any act of the Congress or any act of the Council, as are necessary to carry out his functions and duties." Read these two pro-

visions together and all that is said is the Council can do everything the Board of Commissioners did that the Mayor isn't delegated and the Mayor can do everything the Board could do that the Council isn't delegated. But with few exceptions there is nowhere in the bill a clear delineation of responsibilities belonging to the Council and a delineation of responsibilities belonging to the Mayor.

Question. What amendment would you offer to prevent a vacuum of power or a stalemate of power between the Mayor and Council?

Answer. The bill clearly gives to the Council the legislative power and to the Mayor the executive function. Amendments are not believed necessary.

10. Section 322, on page 11, calls for the abolishment of the Board of Education and gives the Council the power to exercise its function in such manner and with such persons as it sees fit.

Question. What becomes of the employees of the Board?

Answer. The status of the employees of the Board of Education is covered under section 402(3) of S. 1118, which reads in part:

"* * * The officers and employees of each agency with respect to which legislative power is delegated by this act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commisioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent District government merit system or systems based on merit, pursuant to section 402(4)."

Question. Do they get the same summary treatment as the employees of the Board of Commissioners?

Answer. Employees of the Board of Commissioners would not be given "summary treatment" under S. 1118. Section 402(4) provides that the District merit system to be established by legislation of the Council "shall provide for persons employed by the District government immediately preceding the effective date of such system or systems personnel benefits, including but not limited to pay, tenure, leave, retirement, health, and life insurance, and employee disability and death benefits, all at least equal to those provided by legislation enacted by Congress and applicable to such officers and employees immediately prior to the effective date of the system or systems established pursuant to this act."

Section 1001(a) provides for transfer of personnel from abolished agencies to the agencies succeeding to their functions.

Section 1001(c) specifies procedures for retransferring "excess" personnel to other positions in the District or Federal Governments or for separation from the service.

Question. Are no standards to be imposed for the exercise of the functions now held by the Board?

Answer. Such standards as are now prescribed in existing law remain unchanged. Decisions as to new or additional standards should be left to the judgment of the Council and the Mayor. Under present law a Board member has to be a resident of the District for 5 years preceding appointment to the Board.

Question. Under this bill the Council could appoint someone to the Board who had just that day moved into the District; could it not?

Answer. It is possible but highly improbable. In any event, it is intended that this be decided by the Council.

One-third of the Board members now are women.

Question. Is there no requirement to continue this practice in the bill?

Answer. There is no such requirement in the bill. However, if and when the Mayor and Council set up a new "education agency," there is nothing to preclude them from prescribing specific qualifications for its members such as residency or sex.

Question. In fact, the Council is not even required to appoint a new Board, is it?

Answer. No, it is not.

Question. It could perform those functions forever under this bill, couldn't it?

Answer. Yes, it could, but it is improbable that it would.

Question. What would become of the Superintendent who held office on the effective date of this section?

Answer. He would be retained under section 402(3), although the Council could remove him in accordance with applicable law. (Sec. 31–108, District of Columbia Code.)

Question. If no new Board of Education were created, but its functions were instead delegated to some third body what would happen to all the laws and regulations dependent upon the existence of a Board of Education? (Secs. 31–105 et seq. of the District of Columbia Code.)

Answer. The problem is adequately taken care of by section 1002, continuing in effect statutes and regulations (and "other actions") after functions are transferred and relating references to the abolished agency to the agency to which the functions are transferred.

11. Section 322(a)(2) at page 12 abolishes the Zoning Commission and transfers its functions to the Council. Now under existing law the Architect of the Capitol and the Director of the National Park Service sit with the Commissioners.

Question. If this Commission is abolished, what assurances can you give me that the interests of the Federal Government in the beauty and livability of this Federal District will be adequately represented and protected in the exercise of these important functions?

Answer. The Federal interest would be protected through the development of the comprehensive plan by the National Capital Planning Commission—a Federal agency. The comprehensive plan includes zoning and land uses. Also, nothing would preclude the mayor from appointing the Architects of the Capitol and the Director of National Capital Parks to any agency to which the functions of the abolished Zoning Commission might be delegated.

In addition, section 337(a), prescribing procedure for zoning acts, requires submission of each act to the Planning Commission. Should the Council, after receiving recommendations from the Planning Commission, act contrary thereto, the act could be vetoed by the President if he felt the Federal interest would be adversely affected.

12. Likewise, section 322(a)(3) diminishes the Federal representation on Boards having power over Federal interests. This section turns the power of appointment to the Armory Board over to the mayor. Presently, the Congress, operating through its District Committee, has the power to appoint the third member to the Armory Board; the bill would take Federal representation away, leaving it to the mayor's discretion whether or not the Federal interest was represented.

Question. How can the Federal Government be expected to retain an enlightened concurrent interest in the conduct of affairs in the District if it is to be so carefully excluded from its current offices jointly held with local authorities?

Answer. The Federal Government is not excluded from holding office on the new Armory Board. The bill merely does not specify its representative as a member of any such new agency. The mayor and council could request the Commanding General of the National Guard or any other Federal official to serve on the new agency.

Section 2–1705, District of Columbia Code requires the setting aside for the exclusive use of the militia of parts of the Armory, which shall be under the control of the Commanding General, District of Columbia National Guard. The section also provides that the drill hall and parts of the Armory not set aside for the exclusive use of the militia shall be available to the militia under schedules for joint use made by the Armory Board so as to carry out the intent of the act. The District National Guard is under the control of the President and is a Federal agency. (*O'Toole* v. *U.S.*, 206 F. 2d 913.)

13. Again in subparagraph 5 of section 322(a) the Federal participation is extinguished. The Redevelopment Land Agency presently has five members: two appointed by the President and three appointed by the Board of Commissioners. All five were to be appointed with the advice and consent of the Senate. Now this bill eliminates the President's influence entirely, gives the mayor the right of appointment over all five and eliminates the Senate's role of advice and consent.

Question. What power would the Federal Government have to control the redevelopment of the Capitol Hill area?

Question. Since the Federal Government is the largest property holder in the District shouldn't some means be provided for protection of its interests in the redevelopment field?

Question. Is the Federal Government reduced to appearing at public hearings as just another constituent of the District Government?

Answer. The National Capital Planning Commission, a Federal agency, is vested with the authority both to designate redevelopment project boundaries and to adopt redevelopment plans (5 D.C. Code 705(b) (1) and (2)). Therefore, RLA could not unilaterally undertake redevelopment without Federal approval of the Capital Hill area or any other area of the District. Moreover, the President could veto approval action by the Council (required by HHFA) respecting any redevelopment project. Therefore, the allegation that the President's influence is eliminated entirely is incorrect. Finally, action of Congress could nullify any such proposed redevelopment.

14. This same section transferring the entire Redevelopment Land Agency to the District keeps intact some of the guidelines for appointment to the Agency that appear in the present law. Namely, the appointee must have residence in the District and three of them shall have been engaged in private industry, business, and practice.

Question. Why impose guidelines for appointments to the RLA on the mayor and impose no guidelines for transfer of the functions of the Board of Education on the Council?

Is urban renewal somehow a more sensitive area than education?

Answer. The Redevelopment Land Agency is a Government corporation. However, it does carry on what is essentially a municipal function. Therefore, it was deemed desirable to bring it more closely under the District government. However, as a corporation, it could not be abolished and transferred without doing damage to its fiscal structure and casting a shadow on its outstanding obligations. Therefore, it was transferred intact as a corporation to the District government and its management changed by providing for all appointments by the mayor. This is comparable to practice in most cities where the redevelopment agency is generally a Government corporation with its board appointed by the mayor by and with the advice and consent of the city council.

This was not the case with the Board of Education. There abolition and transfer of functions will enable the new government to organize the educational function along lines consonant with best current municipal practice.

15. Subparagraph 6 of section 322(a) abolishes the Public Service Commission, the Recreation Board, the Board of Zoning Adjustment and the Zoning Advisory Council; all their functions are transferred to the Council. Let's take a look at the Federal interest with respect to each of these.

The Public Service Commission now consists of three members, all, in effect, appointed by the President. The Federal Government is far and away the largest user of utility services in the District. Yet, Federal participation on this Commission is totally eliminated unless the District Council later sees fit to invite participation.

Question. Is my understanding correct, that the Federal Government's interest in utility service and rates can only be protected by attendance as a constituent at public hearings, if any, are held by the successor to the Public Services Commission, or by congressional legislation or Presidential veto?

Do you think it is fitting for the National Government to be reduced to the role of constituent in utility rate proceedings?

Should the only ultimate Federal remedy be the assumption of the rate regulation functions through congressional action?

Answer. The Federal Government's only connection with the Public Service Commission is through the appointment process. However, neither the Engineer Commission nor the two public members appointed directly to the Commission by the President are there as representatives of the Federal Government. Their function is to regulate services and charges to the optimum interest of both the utilities and the consumers, the latter of which includes the Federal Government. Similarly, before Federal and State regulatory bodies the Federal Government appears as a consumer, albeit frequently the largest single consumer, but without any special status. This legislation would not change the existing relationship between the Federal Government and the Public Service Commission or such successor organization as might be established under the home rule legislation.

The Recreation Board presently has representatives from the Board of Education (which is abolished by this bill and not otherwise provided for), and the Superintendent of National Capital Parks, ex officio, representing the interests of the National Capital Region of the National Park Service. It is particularly important to have Federal representation on the Recreation Board to act as liaison with Federal officials of the National Capital Planning Commission, who, acting as a body under title I of the District of Columbia Code, section 1012, determine the Federal participation in land acquisition and development for parks for the National Capital area. Under that section the National Capital Planning Commission may, in its discretion, turn control of some of the park land over to the District for playground areas.

Question. What happens when this liaison is eliminated?

What happens to park planning and development for the District?

Does the new government have the power to acquire and develop park land and recreational facilities?

Or, will park land acquisition and development still be up to the National Capital Planning Commission? I note that the NCPC is not abolished by this bill if enacted.

Does that mean that all its power over District affairs that it now exercises it will retain?

Can you foresee any conflicting or competing functions of the National Capital Planning Commission and the new government?

Who will be in charge of the overall parks and recreation planning for the District?

Answer. The Recreation Board is abolished and its functions transferred to the council. It is reasonable to assume that the council in providing for carrying out the functions now carried on by the Commission will recognize the need for liaison with the Park Service and the National Capital Planning Commission with respect to parks and recreation, even as it will have a variety of functions where close coordination with Federal agencies is obviously necessary. There is no agency presently with overall responsibility for park and recreation planning. However, these functions are coordinated under a Technical Coordinating Committee in which various Federal and District agencies participate. The new government would, of course, have authority to acquire and develop parks and recreational facilities even as does the present government.

Without dwelling too long on the role of the National Capital Planning Commission let me clarify one area. This agency is left essentially intact by this bill, isn't it? And, it is charged with very broad authority in municipal affairs, isn't it? For example, it is charged with "preparing and adopting a comprehensive, consistent, and coordinated plan" which "shall include * * * recommendations or proposals for Federal and District developments or projects in the environs" and may deal with, among other things the general location, arrangement, character, and extent of highways, streets, bridges, viaducts, subways, major thoroughfares, and other facilities for handling traffic; parks, parkways, and recreation areas, and the facilities for their development and use; public buildings and structures including monuments and memorials, public reservations or property, such as airports and parking areas, institutions and open spaces; land use, zoning and the density or distribution of population; public utilities and services for the transportation of people and goods or the supply of community facilities, etc." (40 U.S.C., sec. 71c(b)). Additionally, it recommends 6-year public works projects and amendments to the zoning code, and reviews changes or additions to the regulations dealing with the platting or subdivision of the land as are submitted to it by the District government. Its work is supported with appropriations out of the Federal Treasury. It is empowered to buy lands for park purposes; it can lease land; the District government must get the approval of the Commission before it can dispose of real estate owned in fee simple by the District but no longer required for public purposes.

The National Capital Planning Commission consists of five eminent citizens appointed by the President and only two of whom need be bona fide residents of the District or environs. Only one of such residents shall be selected out of three nominated by the District Council set up by this bill. The President designates a Chairman of the Commission. Ex officio members of the Commission are the Chief of Engineers of the Army, someone appointed by the mayor under this bill to fill the seat formerly held by the Engineer Commissioner for the District, the Director of the National Park Service, the Commissioner of Public Buildings, Federal Highway Administrator, and the House and Senate District Committee Chairmen. So, out of 12 members of the Commission, the District government set up by this bill has only 2 representatives, and 1 of them is an ex officio member.

Question. Do you know of any other municipal government which lacks control of its municipal planning process and relinquishes such extensive powers of land use control and acquisition to an independent body such as the National Capital Planning Commission?

Here the balance of interest seems to be overweighted in favor of the Federal Government to the detriment of the local government which can hardly be expected to properly run its own affairs without power over its municipal planning and land use.

Question. Yet, it would seem imprudent for the Federal Government to completely relinquish its control over planning and land-use questions, wouldn't it?

Answer. The National Capital Planning Commission remains as a Federal agency with its statutory authority virtually untouched (except as with respect to zoning and membership on agencies abolished or transferred by S. 1118).

In the response of the Deputy Director of the Bureau of the Budget to Senator BIBLE's letter of March 12, they point out that the administration recognizes the importance of the planning function to municipal government. However, since the local and Federal interests are so closely intertwined in current organization for this function, they recommend that any reorganization should be undertaken separately after careful study by the Federal Government and the new District government.

16. It is interesting to note that the subparagraph 6 of section 322(a), which touched off the whole discussion of the role of the National Planning Commission vis-a-vis the new government, abolishes the Board of Zoning Adjustment and the Zoning Advisory Council, which under present law have representatives from the National Capital Planning Commission. So, while the powers and authorities of the NCPC are preserved, their liaison with corresponding offices in the new government is eliminated.

Question. How do you explain the reasoning behind this treatment?

Answer. Since a close connection exists between zoning and planning, it is reasonable to assume that the Council, when providing the organizational means for carrying out the zoning function, will also provide for appropriate liaison with the National Capital Planning Commission.

For all agencies abolished and functions transferred to the Council there is provision in S. 1118 for a transitional period, so that there is no break in the performance of those functions. (See section 321(b) and 1301(b)(1).)

17. Section 322(b) provides a 180-day transition period after the effective date of the section, during which time the agencies abolished by the section shall continue to operate unless otherwise directed by the District Council. In that interim period, where existing law read "Commissioner" or Board of Commissioners, their function is to be carried out by the Mayor or his delegate. As I read this subsection, while one of these agencies is abolished on the effective date of the section and the Council, in several instances, has 6 months to set up a successor organization, the Mayor can joyfully spend that time making 6-month appointments to an agency that will later fall under the domain of the Council.

Question. Why wasn't the Council permitted to perform the functions it would inherit at the end of the interim period?

Answer. Under this section the Council may exercise its control immediately, or at any time within the 180-day period. The 180-day period, therefore, is a time limit within which the Council may assume its responsibilities. It is entirely possible that the Mayor may be called upon to make a limited number of short-term appointments to fill vacancies pending the time when the Council takes definitive action, but this is likely to happen only in the event the positions became vacant after the Mayor takes office and before the Council exercises its authority.

This subsection does not appear to do anything more than provide an orderly means of accommodating the transition.

18. Read section 323 on page 14.

Question. What would prevent a hypothetical vindictive Board of Commissioners,

Mayor, or Council from delegating, revoking, and redelegating powers just prior to the effective date of the section, during the interim period or after the interim period? Such conduct might result if the outgoing Board were of a different party than the Mayor or Council, or both. What guards should be written into this section? Could a lame duck Board do substantial damage to the orderly transfer of powers under this section?

Answer. The problem posed by the questions in number 18 is inherent in any form of government. It is believed that the present wording of section 323 is reasonable in the light of its objective of providing an orderly transition to the new form of government.

19. Section 324 deals in part with the legislative scope of powers of the Council. The new local government is made subject to section 10 of article I of the U.S. Constitution as though it were made a State by this Charter Act.

Answer. Section 324(a) qualifies the grant of legislative power to the District, among other things, as being "subject, nevertheless, to all restrictions and limitations imposed upon States by the 10th section of the 1st article of the Constitution of the United States * * *."

The quoted language is not an attempt to constitute the District a State.

Question. Is it to be deemed a State for any other purposes?

Answer. The District of Columbia may be treated as a State in legislative enactments of the Congress, and has been so treated for many purposes, such as laws providing Federal grants and loans for urban renewal, health programs, Social Security Act, and regulating interstate commerce. In those instances, the legislation usually defines the term "State" as including the District of Columbia.

Question. Is commerce between the District and Virginia to constitute interstate commerce for constitutional purposes?

Answer. See the answer to the first question under this number.

Question. Will the first 10 amendments to the Constitution be directly applicable against the District of Columbia because of its relationship to the Federal Government, or will those amendments be applicable against the District only insofar as the 14th amendment applies?

Answer. The first 10 amendments to the Constitution are applicable in the District of Columbia. Neither the Congress nor the Council may pass a bill of attainder or an ex post facto law, or dispense with trial by jury or establish a religion. The 14th amendment does not apply. *Hamilton National Bank* v. *District of Columbia,* 81 U.S. App. D.C. 200; *Bolling* v. *Sharpe,* 347 U.S. 497.

Question. Is the District to have the powers reserved to the States by the 10th amendment to the Constitution?

Answer. The powers granted to the District are those which the charter gives. See section 324(a) providing that, subject to limitations, the legislative power "shall extend to all rightful subjects of legislation within said District, consistent with the Constitution of the United States and the provisions of this act * * *."

Question. Will the District's change in status affect in any way existing compacts between the District and neighboring jurisdictions?

Answer. To avoid any question as to whether the change in status respecting the form of government in the District will affect existing compacts between the District and neighboring jurisdictions, section 1002(b), should be amended by inserting "compact" in line 22, page 79, immediately before the word "contract".

20. In section 324, mention is made that the new District Government is not to have any new authority over the Washington Aqueduct which, I understand, is presently under the jurisdiction of the Army Corps of Engineers.

Question. Why was it felt desirable not to turn over to the new government control of its water system?

Answer. A history of the Washington Aqueduct is summarized in House Document No. 480, 79th Congress, at pages 178 and 179. It is there stated in the early history of Washington the water supply was by numerous springs and wells. With the growth of the city an adequate water supply became increasingly important. The acts of Congress of September 30, 1850, and August 31, 1852, provided for a study and report on the water supply problem. The resulting report recommended construction of the Washington Aqueduct.

The act of March 3, 1853, authorized construction of the original water supply structures under the direction of the Corps of Engineers, U.S. Army.

In 1882 by congressional action, control of the distribution system was placed under the District Commissioners and responsibility for supply continued under the Chief of Engineers. Numerous acts of Congress over the years continued the arrangement mentioned above. Apparently Congress felt it desirable that responsibility for the aqueduct or the supply system be continued in the Corps of Engineers and that the responsibility for the distribution system remain in the District government. These arrangements include the handling of the sale and distribution of water from this system to suburban jurisdictions such as Arlington County and to the Pentagon.

The relationship has been a long and satisfactory one and since there seemed to be nothing to be gained from removing the Army Corps of Engineers from their historical responsibility, the legislation was drafted in this manner.

21. Likewise, the section states that the new government is to have no greater authority over the National Zoological Park, which is presently under the Smithsonian Institution, but the funds for which pass through the Appropriations Subcommittee for the District.

Question. Is it the intention of the framers of this bill that Congress shall no longer have to appropriate for the zoo, but its share of the cost of operation will be represented in the new Federal payment scheme provided for in the bill?

Under this new Federal payment formula, federally held lands are assessed as if they were taxable. But excluded from computation are federally owned parklands.

Question. Do you consider the zoo as parkland?

Question. Would the zoo property be excluded from the assessment formula of the Federal payment plan but still be financed solely out of the District's funds?

Answer. Existing arrangements regarding the zoo will be unchanged, therefore under the provisions of this bill the operating expenses of the zoo would be included in the District budget by the mayor and submitted to the council. Upon adoption of the budget by the council funds will be transferred to the Smithsonian Institution for the operation of the zoo for the ensuing year. Funds required for capital outlay would remain the responsibility of the Federal Government through the Smithsonian Institution.

The zoo is considered parkland and therefore is not included in the assessment formula used to determine the Federal payment.

22. This section also says that the new government shall have no new authority over the National Guard for the District. Yet, section 322 removes the commanding general of the District of Columbia Militia from the armory board and puts all appointments to the board in the hands of the mayor.

Question. How is the National Guard to be protected in its use of the armory with its commander off the board?

Answer. The basic law pertaining to the use of the armory is not modified by this charter and therefore the National Guard would continue to have its rights and privileges. (See sec. 2–1705, District of Columbia Code.) (See also question 12 and the answer.)

23. Question. Outside of the question of enforcement, what is the practical difference between assessing the Federal Government for real and personal property taxes lost because of the presence of Federal property in the District and imposing a tax directly on Federal Government property?

Answer. There is an implication here that the District is taxing the Federal Government, directly or indirectly. This is simply not so. Rather, the taxable value of Federal property if it were privately owned is used as a measure of what would be an equitable payment for the Federal Government to make to the District. Some other formula conceivably could be developed which would provide a better measure. Earlier Congresses used 50 percent of the cost of running the District as an equitable measure.

However, the most practical difference is that the Federal Government, as taxpayer, can unilaterally change the formula or the payment by legislation. The District government as "taxing power" cannot. Thus, we have the exact reverse of the normal situation where the taxing power decides and the taxpayer has as his only remedy if he objects recourse to the courts or the polls. This voluntary quality clearly distinguishes the payment from a tax.

24. Question. Would the prohibition against the lending of public credit for a private undertaking which appears on page 15, line 21, conflict with any urban renewal objective of the District or impair a plan for rent subsidies to the needy?

Answer. No. Urban renewal is a combined public and private undertaking. The public undertaking is confined to recognized public aspects of projects designed to facilitate and attract private capital. Rent subsidies are outright public expenditures and do not involve lending the public credit.

25. Question. Does a local tax exemption for private schools work to use public money for the support of private or sectarian schools in violation of the provision on pages 15 and 16?

Answer. No. The existing tax exemptions for private schools are not "a use of public money for the support of any private or sectarian school." In any event, the exemptions which now exist must be continued under the clause "except as now or hereafter authorized by Congress."

26. Section 324(b) (5) prohibits the District Council from enactig any legislation which is not restricted in its application exclusively in or to the District.

Question. Would this bar legislation authorizing the District to undertake a cooperative sewer or water agreement with neighboring jurisdictions?

Answer. The language is intended to prohibit the District from legislating extraterritorially and not to prohibit such things as cooperative sewer and water agreements. There would be no objection to clarifying language if the committee feels it desirable.

27. Does the term "publish" which appears in section 324(c) have the same meaning it has in section 101(16)? Now suppose the District had not yet adopted the Uniform Commercial Code (which it has). This measure takes up 105 pages in the current supplement to the District of Columbia Code.

Question. Had this been passed after enactment of this bill would the whole unintelligible mass have to have been printed in a newspaper of general circulation?

Answer. The second sentence of section 324(c) beginning at line 3, page 17, reads as follows:

"* * * Every act (of the council) shall be published within seven days of its passage, as the council may direct."

This subsection permits the council and the mayor to publish either a complete text or one in condensed form with appropriate advice as to where the complete text can be obtained in order to achieve a satisfactory balance of adequate notification to the public but at reasonable expense to the city.

28. Section 324(d) requires that once the council has passed an act and the mayor has approved it it is presented to the President.

Question. If Congress has the power to modify or repeal that legislation shouldn't it also be presented to the Congress?

Likewise, if the bill goes to the President without the mayor's signature but after the 10-day period for his approval or disapproval has expired, shouldn't it also come to the Congress?

Anytime one of your bills goes to the President shouldn't it come to us?

Should Congress have the same power to disapprove an act of the council within 10 days of presentation (or longer) as is extended to the President?

Answer. One of the major purposes of home rule legislation is the streamlining of administration of the Federal Capital, to relieve the Congress of the burden of legislating on the vast array of municipal minutiae that is necessary for carrying on the business of a city. If the Congress were to have to review and pass upon every act of council, this objective would not be achieved. As a matter of fact, the process would be even more cumbersome than it now is, for legislation would have to go through two legislative bodies, council and Congress.

Presidential review and veto power does not interject an extra step in the process. This function is now carried on in the case of all District legislation. To the contrary, even the burden of the Executive Office will be lightened since action will only have to be taken on those matters on which the District council has taken positive action rather than consideration being given to the whole array of legislative proposals being considered by Congress.

29. The bill says that Congress may legislate concurrently on any subject with the District council. But nowhere does the bill set out the effect of legislation by both bodies on the same subject which is complementary in part and conflicting in part.

Question. What happens where the same objectives are reached by both bodies but through different mechanisms?

Which is the law?

Does the congressional legislation preempt the field, occupy the field or otherwise relate to the local legislation?

Answer. Assuming that the word "concurrently" in the question does not mean litterally "at the same instant," the legislation which is later in point of time would be effective.

Subsection (f) of section 324, however, provides that Congress reserves the right to legislate for the District on any subject, whether or not it is within the scope of legislative power granted by the charter, including acts to amend or repeal any law in force in the District prior to or after passage of the bill and any act passed by the council.

In view of the scope of legislative power Congress is delegating by section 324 of the bill, question as to whether Congress has, by a particular act, preempted a field would have to be determined on the basis of whether Congress has in passing the act intended to preempt the field.

30. Section 324(g) vests control over the municipal courts in the District Council. Under existing law the U.S. district court and the U.S. court of appeals perform certain functions which would ordinarily be performed by the State courts.

Question. Because nothing in that section is to be construed to curtail the jurisdiction of these U.S. courts, they will continue to perform certain local functions, such as probate administration and the trial of major criminal matters?

Answer. The answer to the question is in the affirmative.

Question. Additionally, will the U.S. attorney's office and the U.S. marshal continue to perform certain local functions?

Answer. Yes, the bill does not change this arrangement. Reimbursement for the cost of their services would continue, as at present.

Question. Do you see any difficulty in having some local judicial problems under the control of different sovereigns?

Answer. As previously stated, there cannot be two sovereigns in the District of Columbia. The sole sovereign is the United States.

There is concurrent jurisdiction over certain criminal and civil matters between the court of general sessions and the U.S. district court. Additionally, appeals may be taken from the municipal courts to the U.S. courts in certain situations.

Question. When these two judicial systems are under different sovereigns is there the possibility that hostility could develop?

Answer. Previous comment regarding the sole sovereign in the District of Columbia applies to this question.

A crime tried by a local tribunal may be appealed to a Federal tribunal solely on local issues.

Question. Will the Federal courts have any administrative control over the local courts?

Answer. Existing conditions are not changed by the bill.

Question. Can the local courts, under this bill, elect not to continue to abide by the Federal Rules of Civil or Criminal Procedure?

Answer. The municipal courts, as defined in the bill, include the District of Columbia court of appeals, the District of Columbia court of general sessions, the juvenile court, and the tax court. All of these courts presently have rules of procedure made by the courts themselves and are presently not required to abide by the Federal Rules of Civil or Criminal Procedure. This authority to make rules is given to the respective courts by acts of Congress. The bill makes no change.

Question. Even if the Federal courts would retain supervisory powers over the local courts under this bill, the District Council could change that relationship, couldn't it?

Answer. The supervisory powers over the local courts cannot be changed by the Council.

Question. What is the local Council's power to legislate with respect to the judicial powers of the District? Where does this bill spell out the extent of these powers?

Answer. The power to legislate respecting judicial powers of the District is included in section 324, which states that—

"The legislative power of the District shall extend to all rightful subjects of legislation within said District * * *."

Subject to comment in the following paragraphs, further definition of the power is unnecessary and inappropriate.

By the act of August 31, 1954 (68 Stat. 1048) Congress vested in the District of Columbia Court of Appeals exclusive jurisdiction to review actions of administrative agencies of the District government in eight categories of cases involving denial, revocation, suspension or refusal to renew licenses or registrations necessary to engage in certain professions, vocations, trades or businesses and actions denying, revoking, or suspending motor-vehicle operators' permits. The 1954 act is now codified in section 11-742, District of Columbia Code, and includes a 10th category—orders of the Public Service Commission. The act of September 6, 1960 (74 Stat. 803), authorizes licensing of practical nurses, and the act approved September 22, 1961 (75 Stat. 578), provides for licensing physical therapists. In both acts, Congress provided for review by the District of Columbia Court of Appeals of acts of the licensing agencies in accordance with the act of August 31, 1954 (secs. 2-434 and 2-463, D.C. Code).

Prior to the 1954 act persons desiring judicial review of administrative actions in license matters were required, in all cases, to seek relief in the U.S. District Court for the District of Columbia. To the extent indicated above, Congress has transferred to the District of Columbia Court of Appeals exclusive jurisdiction to grant relief.

However, it is felt that the bill should permit the Council to provide by legislation for exclusive jurisdiction in the District of Columbia Court of Appeals to review actions in all license cases. The following amendments are, therefore, suggested: page 19, line 14, strike "subsection (g) of"; and page 19, line 18, add the following:

"Nothing in this section shall be construed as prohibiting the Council from enacting legislation conferring upon the District of Columbia court of appeals exclusive jurisdiction to review orders and decisions of administrative agencies of the District denying, revoking, suspending or refusing to renew or restore any license or registration to engage in any profession, vocation, trade, calling, or business, which under law is now or hereafter required to be licensed or registered."

31. Section 332 on page 20 provides for the Council's administrative staff employed under compensation and terms decided on by the Council.

Question. Is it the intent of this section to exclude the Council employees from the civil service or merit system of employment to be established?

Is there no limit on what the Council employees can be paid?

Answer. It is the intent of this section of the bill to leave to the discretion of the Council the question of compensation of its own employees and whether they shall be subject to a merit system.

32. Question. Is it the intention of the framers of this bill that each ward shall be apportioned so that all wards will be of approximately equal size?

Answer. Section 801(5) beginning at line 8, page 56, charges the Board of Elections with responsibility for dividing the District into 15 wards "as nearly equal as possible in population and of geographic proportions as nearly regular, contiguous, and compact as possible * * *." It is to be noted, therefore, that the act addresses itself to having each ward substantially equal to all other wards as to population. The geographic size of the wards is not a point and the only requirement on geographic size is to reasonable shape with the objective of avoiding gerrymandering.

Question. Where does the bill provide guarantees that the wards will be properly apportioned?

Answer. The bill contains no specific language in the nature of a "guarantee." Any qualified District voter aggrieved by alleged improper apportionment may bring suit challenging the act.

33. Section 333(b) provides that the Council shall meet once a week except during July and August when it shall hold at least two regular meetings in each month.

Question. Would this subsection prohibit the Council from adjourning for vacations?

Answer. It would appear that the longest span of time that the Council could adjourn

for a vacation would be by having the two regular meetings in July scheduled for the first 2 weeks in July and the two regular meetings in August scheduled for the last 2 weeks in August—thus leaving approximately 4 weeks during which the Council could adjourn for vacation.

Question. Should the Council be required to hold a portion of its public hearings at night so as to insure citizen participation?

Answer. This should be left optional. The demands of the voters would inevitably determine the procedures of the Council.

34. Section 336 provides for a mandatory 13-day delay between the introduction of a bill and its enactment unless waived by a unanimous vote of the members present.

Question. Are the municipal governments of other jurisdictions in this area so restricted?

Answer. Yes. It is not unusual to have a mandatory waiting period between the introduction and enactment of legislation in the nearby Maryland and Virginia counties. In general, the periods are longer than 13 days. Emergency legislation or ordinances can be enacted on less notice. In Virginia, an emergency ordinance can be effective for not more than 60 days.

Question. In your view, would this section impede the adoption of emergency legislation which had the slightest tinge of controversiality?

Answer. If truly an emergency, a unanimous vote to deal with it could be expected for some solution.

35. Question. Am I to understand that while the National Capital Planning Commission has authority for planning the development of the District of Columbia, it has no control functions to guarantee that the plan is adhered to? Is there anything in this bill which would dictate that adopted plans be followed?

Answer. NCPC control functions to guarantee that the plans it makes are adhered to, are not affected by S. 1118, either in terms of weakening or strengthening them.

See elsewhere in supplemental testimony for discussions of NCPC.

36. Section 338 gives the District Council broad powers of investigation.

Question. Do any of the other local governments have these powers?

Answer. Investigative powers given to the District Council by S. 1118 are similar to those held by the governing bodies of counties in nearby Virginia and Maryland which have the power to subpena employees or officials of the local government and private citizens, provided the inquiry is concomitant with the powers of the governing body.

Protection against abuse of these powers is afforded by the courts in the same manner as for other legislative investigative bodies. Of course, investigative power under S. 1118 would be restricted to matters relating to District affairs, so there is the test of relevancy.

Power of the Council to compel any Federal official to come and testify would, of course, be conditioned by relevancy of the circumstances of the investigation to District affairs.

37. Question. Could a member of the President's Cabinet or the head of a Federal agency run for the office of Mayor?

Answer. Yes. Such persons are exempt from the political activity restrictions of the Hatch Act and from those of civil service rule IV. They are in the same category as the President and Vice President with respect to political activity. However, it is understood that a member of the President's Cabinet or the head of a Federal agency would not be permitted to hold the office of Mayor and the Federal position simultaneously.

38. Section 401(c) provides for a limit of $2,500 on the expense allowance of the Mayor.

Question. Why are the Mayor's expenses limited by law while those for the Council are not?

Answer. An expense account of $2,500 is provided the Mayor to help defray official reception and representation expenses that he will incur as the official representative of the District of Columbia. The allowance is expected to cover expenses normally associated with entertainment, and related items connected with visiting officials and dignitaries. In addition, the Mayor is expected to receive per diem and travel expenses as authorized by law for government employees.

It was intended that expense allowances for individual Council members would be minimal, and should be approved by the whole Council.

39. Question. Does section 402 provide that the employees in the office of the Mayor shall have no employment security other than the good will and discretion of the Mayor? (See lines 21–23, on p. 26.)

Answer. No. According to section 402, employees in the office of the Mayor, personnel in District departments, and members of boards, commissions, and other agencies, will continue to be subject to the same acts of Congress to which they are subject on the date this bill becomes law, and until such time as the Council provides similar or comparable personnel laws to replace the present system.

40. Question. Does the Mayor have greater power to remove one of his appointments than was held by the Board of Commissioners? If so, why?

Answer. Not with respect to officers and employees of the proposed merit system, since their removal would remain subject to present law or to similar or comparable provisions of the new merit system, except that members of the Armory Board and Redevelopment Land Agency would serve at the pleasure of the Mayor.

41. I notice on page 28, line 19, that the merit systems of employment adopted by the new District government "may" provide for continued participation in the Federal civil service system.

Question. How do District employees currently participate in the Federal civil service system? Do any of them have vested rights which might be destroyed if the new District of Columbia government elected not to continue participation in the Federal civil service system?

Answer. Personnel of those District departments which by statute are subject to the competitive civil service system are a part of the Federal civil service system to the extent that they are accorded the same rights, benefits, and protection accorded by law to Federal employees. Certain other employees in District departments which are subject to the joint agreement between the District of Columbia Commissioners and the U.S. Civil Service Commission are by law accorded the same fringe benefits, and essentially the same rights and protection, as are employees in the competitive civil service. Under the terms of the bill, if the Council elects not to continue under the Federal civil service system, employees on the rolls of the District government immediately preceding the effective date of the new merit system established by the Council would not lose vested rights such as those relating to veterans' preference, eligibility for competitive civil service status, accrued retirement benefits, and accrued leave benefits.

42. Question. Am I to read subparagraph 11 of section 402 which appears at line 7 on page 30 as prohibiting the mayor or council from proposing to the President or the Congress local legislation which for some reason the local government may feel reluctant to handle?

Answer. It is not clear what type of legislation the mayor and council would feel reluctant to handle for some reason.

This subsection states that the mayor or council may propose to the executive or legislative branches of the U.S. Government legislation or other action "dealing with any subject not falling within the authority of the District government. * * *" The section was not intended to prohibit the mayor or council from proposing to the President or the Congress any legislation.

43. Question. Does subparagraph 9 of that same section empower the council to impose unlimited duties on the mayor? Could this subparagraph be abused if the council wanted to harass the mayor?

Answer. No more so than any legislative body can impose on the chief executive of its government.

44. Title V sets out District of Columbia budgetary procedures.

Question. Is the U.S. Bureau of the Budget and its resources to be utilized in any manner by District of Columbia budget officials?

Answer. The resources of the Bureau of the Budget will be available to the District of Columbia at its request. In addition, the legislation provides, in section 901(a), on page 75, that the mayor and the Director of the Bureau of the Budget with the approval of the council may make agreements for the purpose of preventing duplication of effort or otherwise promoting efficiency and economy in those cases where a Federal officer or agency may furnish services to the District or that a District officer or agency may furnish services to the Federal Government.

Question. Because of the Federal interest in the sound fiscal management of the District, shouldn't the Bureau of the Budget review the District budget?

Answer. To require that the Bureau of the Budget review the budget of the District of Columbia would negate some of the significant objectives of the legislation. The legislation would establish an independent city government, with certain specified exceptions. A review of the city's budget by the Federal Government would to a large degree remove from the mayor and council the responsibility for the operations of the city that the legislation is intended to provide. This would mean that the citizens of the District could not in this respect hold their elected officials responsible.

45. Title VI provides for the District to incur bonded indebtedness. The aggregate indebtedness is not to exceed 12 percent of the aggregate of the assessed values of certain properties in the District. Included among these properties are real and personal property owned and used by the Federal Government with certain exceptions for park lands, museums, memorials, and the like. This property is also taken into consideration in calculating the Federal payment to the District. To further identify the property, it is that which is referred to in section 741(a), paragraphs (A) and (B).

Question. What is the total value of this Federal property?

Answer. The value of the property referred to in section 741(a), paragraphs (A) and (B), is as follows (in millions):

Real property owned and used by the Federal Government	$1,208.7
Real property exempt from taxation by special acts of Congress	47.2
Tangible personal property owned by the Federal Government (exclusive of objects of art, museum pieces, and libraries)	550.0
Total	1,805.9

Question. What percentage of total assets, both Federal and District, does it represent?

Answer. It is estimated that the relationship of Federal assets to total assets is as follows:

	Amount (millions)	Percent
Federal assets	$1,806	36
Taxable assets	3,213	64
Total assets	5,019	100

Question. What is the present dollar limitation on bonded indebtedness and how much would that limit be raised by the enactment of this bill?

Answer. It should also be pointed out that the current limitations are limitations on borrowing, while the legislation would provide limitations on indebtedness. For this reason the limitations under existing law and those proposed in the legislation are not comparable.

The current limits on borrowing (the District must borrow from the Federal Treasury) are as follows (in millions):

General fund	$175.0
Highway fund	50.2
Water fund	35.0
Sanitary sewerage works fund	32.0
Other	29.6
Total, limit on borrowing	321.85

The limitation on bonded indebtedness under this legislation would be $488 million in 1966 and is expected to increase to $586 million by 1970, for example.

Question. What is the justification for increasing this bonded indebtedness limitation when there are no specific capital projects requiring this expansion set forth in the bill?

Answer. The legislation is intended to be the continuing legal basis for capital financing by the District of Columbia government. It would not be appropriate to include in it a listing capital requirements. This District does develop and update annually a 6-year public works program. The current 6-year plan indicates capital outlay needs in excess of the District's capacity to fund them, either from current revenues or within the current limitations on borrowing. The legislation would increase the District's ability to borrow, and by placing the responsibility for borrowing in the District government, rather than in Congress, would enable the District to program public works projects on a scheduled basis.

46. Section 631(a) authorizes the Council where necessary to provide for the annual levy of a special tax "without limitation as to rate or amount upon all the taxable real and personal tangible property within the District * * *" which taken together with other revenues of the District will be sufficient to pay the principal and interest on bonds.

Question. Would the Federal payment formula reflect the imposition of this special tax? In other words, is this special tax to take into account all property, both Federal and private, located within the District?

Answer. The Federal payment formula reflects the imposition of any tax on real and tangible personal property in the District. However, the language clearly indicates the special tax will apply to "taxable" property.

The Federal Government is not subject to tax on its property.

Question. I would gather that from the language on line 20 of page 33 additional bonds could issue to meet this obligation without a referendum. Is that your understanding?

Answer. Yes. Up to a total aggregate indebtedness of 2 percent of all assessed values.

Question. Are only refinancing bonds issuable without a referendum or would any bond issued by the District in amounts not exceeding 2 percent of the assessed value of property also be issuable without referendum?

Answer. Issuance of any bonds which would raise the total aggregate indebtedness consisting of bonds issued without referendum above 2 percent of all assessed values would be subject to referendum.

Question. Are there any other times that bonds may issue without a referendum?

Answer. No. Negotiable notes may be issued, however, for short-term borrowing.

47. Section 604, paragraph 3, provides that no court shall have jurisdiction in any proceeding to question the validity of a municipal bond except during the 20-day period between the date of publication of the notice of the enactment by the Council of a bond issue measure and the lapse of the 20-day or during the 20-day period following the acceptance by the voters of such a bond issue. Section 604 also sets forth certain presumptions of regular legislative procedure and stipulations of factual correctness in matters relating to the issuance of the bonds.

Question. Why are such stringent exclusions of judicial review imposed on both the voter (bond issue) and any party seeking to challenge the bond issue?

Can you foresee any constitutional challenge to the stipulations, presumptions and exclusions set forth in section 604?

Answer. The exclusions are imposed to expedite financing of essential projects and to insure investors that the legality of their bonds will not be questioned.

Since the prohibitions relate to the period of time for raising issues and not to the right to do so, constitutional challenges are not likely to be successful.

48. Question. Are the local governments of the nearby jurisdictions restricted to issuing bonds bearing the full faith and credit of that jurisdiction? Are they authorized to impose special taxes without limitation as provided in section 631?

Answer. Montgomery County as a matter of practice issues only full faith and credit obligations to minimize the cost of borrowing although the county may have some authority to issue other types of indebtedness. Other jurisdictions reportedly are restricted to issuing bonds bearing the full faith and credit of that jurisdiction.

There is no necessity to impose special taxes in these jurisdictions since there is no limitation on the amount of real and personal property taxes they may impose.

49. Question. Is section 606 clear and unequivocal as to whether a securities house seeking to participate in the public sale of District municipal bonds acts as a buyer of those bonds or an agent for their sale? If such a house put up a performance bond equal to 2 percent of the par amount of the bond bid for, would that suffice in lieu of a certified or cashier's check for such amount?

Answer. The language of section 606 would not permit a performance bond in lieu of a certified or cashier's check.

50. Sections 621 and 622 talk about the issuance by the District of negotiable notes to meet supplemental appropriations when there are no available unappropriated revenues or when government wants to raise funds in anticipation of revenues from the next fiscal year.

Question. What is the justification for requesting this type of revenue production, what other jurisdictions utilize this approach, and what has been their experience to date?

Answer. Anticipatory borrowing is justified because timing of income is not always synchronized with timing of expenditures. Short-term borrowing thus enables government, as it does business, to meet emergencies and to maintain program continuity. The District is currently authorized to use this technique. In recent years it has been necessary from time to time to obtain advances from the U.S. Treasury in anticipation of peak real estate and other tax collections. These advances have been repaid promptly when the revenue was received. Only extensive research would reveal what other jurisdictions utilize this approach since it is standby type of authority and useful only in specific situations, but it is understood to be used by numerous local governments, particularly in the State of New York.

51. Section 641 provides that the bonds and notes issued by the Council shall be exempt from all Federal and District taxation except the estate, inheritance, and gift taxes.

Question. It would seem clear from the language that such securities would be exempt from both District and Federal transfer taxes. Is that the intent of the framers?

Is it clear from section 641, without further language, that District bonds and notes shall be treated as if they were issued by a subdivision of a State and exempt for that reason?

Answer. From the language of section 641, it would seem clear that it was the intent of the framers of the section that bonds and notes issued by the Council pursuant to the authority contained in the bill will be exempt from both Federal and District transfer taxes, but will not be exempt from estate, inheritance, and gift taxes. The language of the section may not, however, be sufficient to prevent bonds and notes issued by the Council, or the interest thereon, from being subjected to a later taxing statute not expressly providing for the exemption.

Nothing in section 641 refers to the treatment of bonds and notes issued by the Council, as though they were issued by a subdivision of a State. There would be no objection to clarifying section 641 by adding language comparable to that used for Armory Board bonds so as to provide that bonds and notes issued by the Council and the interest thereon "shall be exempt from all Federal and District taxation (now or hereafter imposed) except estate, inheritance, and gift taxes."

52. Section 642 puts District of Columbia bonds on the legal list for investment by executors, administrators, and other fiduciaries.

Question. Is this procedure at variance with the practice in other jurisdictions where an official of the court reviews the history, stability, and character of a security before it is added to the legal list?

Would a beneficiary of any trust have recourse against his fiduciary for investment in District of Columbia obligations which went sour?

Answer. No. The statutes of several States, Virginia and Wisconsin, for example, provide that indebtedness of the State, counties, cities, towns, and school districts are legal investments. It appears to be common practice of probate courts in most States to include State and local bond issues in their legal lists of investments with only a minimum investigation.

No, since his fiduciary would have made a legally authorized investment in District of Columbia obligations.

53. Section 702 provides in part that the Council may designate depositories for District funds.

Question. Could a depository be a private institution and if so, should the institutions bid for the District's business?

Answer. Depository could be a private institution. The institutions probably should bid for the District's business and in all likelihood bids would be requested to assure that the service is provided at the lowest cost or at the maximum income to the local government. This is the type of matter that was intended to be left to the discretion of the mayor and Council.

54. Section 703 empowers the Council to transfer appropriation balances from one account to another without limitation.

Question. Do other jurisdictions impose limits on this power?

Answer. Some jurisdictions impose limits on the transfer of appropriation balances between accounts and others do not. Of four governments in the Washington area, two limit transfers and two do not. The authorization proposed is important to provide flexibility of fiscal operations.

55. Section 721 provides that the General Accounting Office shall audit the District's books and the expenses of the audit shall be reimbursed by the District in an amount agreed upon by the mayor and the Comptroller General.

Question. What if they fail to reach an agreement on the amount to be reimbursed? Why does the District merely reimburse GAO for the cost of the audit?

Answer. It is not conceivable that an impasse would be reached on the amount of reimbursement for the audit performed. In the end result, the reasonable judgment of the mayor and the Comptroller General must be depended upon.

Relative to reimbursement to GAO, it is only appropriate that the District pay the GAO for the costs incurred by that Office in auditing District financial transactions.

Question. The GAO submits its report to the mayor and the council. Why aren't the Congress and the President also designated to receive this report? I note that Congress receives a report on the audit from the council but not directly from GAO. Why is this?

Answer. The legislation contemplates that the GAO audit will be submitted directly to the mayor and the council, as the responsible parties for taking corrective action, and that the city government would respond directly to Congress in connection with the results of the audit.

56. Section 722 removes the District of Columbia from the Budget and Accounting Act.

Question. To protect the Federal interest in the District, why isn't this new government left under the act until it has time to test its ways?

Answer. The Budget and Accounting Act of 1921, as amended, requires that the President review, approve, and transmit the budgets of the various agencies of the executive branch to the Congress. It also provides that the Bureau of the Budget maintain a continuing review and evaluation of the various programs of departments and agencies and the organization for carrying out such programs. To continue application of the act to the District would adversely affect the objectives of the home rule legislation. It would remove from the mayor and the council the final responsibility for the budgetary and financial affairs of the city.

57. Section 741 provides that the Federal Government shall authorize regular annual payments to the District calculated on the basis of tax revenues lost because of the presence of nontaxable Federal installations in the District. The amount of any such authorized payment takes into consideration a number of factors. Apparently the real estate tax assessment office of the District is to assess all Federal buildings and property except park lands, museums, memorials, and like areas to determine the tax base lost on those buildings. The mayor develops methods for determining the amount of personal property taxes lost by the presence of Federal personal property located in the District, excluding objects of art, statuary, books, etc. The District income and franchise tax section computes income tax and franchise tax losses occurring because of the number of Federal employees in the District paying taxes elsewhere, and finally, the Federal Government's sewer and water service fees are computed.

Question. On page 51, lines 6 through 9, the amount authorized is specified as being based upon all these factors. What formula is used to determine the weight of each of these factors, or is the maximum tax loss for each factor taken into account in calculating the amount? (For example, New York City receives no Federal payment for tax loss because of Federal installations; nor do they receive reimbursement from people working there who pay taxes in New Jersey.)

Answer. The estimated actual tax loss for each factor is taken into account in calculating the amount of the payment. The business tax factor is not a measure of the tax loss resulting from the number of Federal employees in the District paying taxes elsewhere as in the example cited. It is rather a measure of what amount of tax private businesses in the District pay in support of the District government. The ratio of Federal to private employment is the means of deflating the overall tax payments to a usable denominator; namely, so many business tax dollars per employee in private employment in taxpaying businesses.

Question. Some Federal installations include both museum space and Federal working space (for example, the Medical Museum at Seventh Street and Independence Avenue). Does the bill take into account any proration of uses for real property tax purposes?

Answer. The bill does not take into account any proration of uses of Federal real property for purposes of computing the Federal payment. The entire Medical Museum is omitted from the computation, however, as an example.

Question. Certain Federal offices are run in good part for the benefit of the local citizens, such as the zoo, National Park Service, and VA hospital. Would the employment in these offices be taken into account in subparagraph (C) on page 53?

Answer. Subparagraph (C) on page 53 does not differentiate among Federal employees in different types of Federal activities. Nor is it felt that the formula would be improved by doing so since the ratio of Federal to private employment is a fraction used to adjust the business tax factor to so many business tax dollars per employee in private employment in taxpaying businesses in the District.

Question. Doesn't the mayor have awfully broad authority to develop personal property tax equivalents under subparagraph (B) on pages 52 and 53?

After the District officials compute the tax loss from all factors and present their findings to the General Services Administration for certification and payment, what happens if the Administrator of GSA disagrees in whole or in part with the revenue loss findings of the District government? What procedure does the bill set out for adjusting or settling differences of opinion on revenue loss?

Answer. Yes, the mayor has broad authority to develop personal property tax equivalents because the Federal Government does not maintain records on personal property as private business does and, therefore, a formula is the only feasible method of developing this factor.

Every attempt will be made to reconcile differences of opinion between the District and the General Services Administration regarding revenue loss. If these differences cannot be resolved, the decision of GSA will be final and will be reflected in the amount of payment determined by the formula which the General Services Administrator will certify to the Secretary of the Treasury for payment. The bill does not set out procedures for settling differences of opinion on revenue loss.

Question. This bill merely authorized Federal payment (see line 24, page 50), but the Secretary of the Treasury is directed to make payment on no later than September 1 of each fiscal year. Is it the intent of the framers to treat this bill both as an authorization and an appropriation?

Answer. Yes. It is a "permanent, indefinite appropriation" based on the formula specified.

58. Title VIII sets forth the manner of elections in the District.

Question. For how many consecutive terms may the mayor, a member of the District Council, or the District Delegate be elected?

Answer. No limitation on consecutive terms of office served is provided in S. 1118.

Question. Is it unusual for a public official to be subject to recall by a simple majority of people voting on a petition to recall?

Answer. A simple majority vote in a recall referendum appears to be customary.

Question. Is it the intent of the framers to establish two registration lists, one under section VII of the District Election Act of 1955 and one under this bill? Section 807 is not clear whether it is amendatory of section VII of the District Election Act of 1955 or not in terms of residence requirements.

Answer. The intent of the framers of the legislation was to establish uniform qualifications for voting in all elections held under existing law and pursuant to S. 1118. The 6 months' residence requirement and the minimum age of 18 years provided for in S. 1118 were intended to apply in all elections.

Section 808(d) should be deleted since qualifications for voting are to be uniform as provided in section 807, second sentence beginning at page 64, line 15.

59. Section 807 disqualifies a voter who has voted in any election in any State or territory of the United States other than the District.

Question. Puerto Rico is neither a State nor a territory but is an independent Commonwealth. What happens to someone voting in Puerto Rico?

Answer. "Commonwealth" should be added to section 807.

60. Section 808(b) provides that the court of general sessions may entertain an appeal from a decision of the Board of Elections relating to the registration or want of registration of any candidate. At line 6 on page 66, this section says "The decision of such court shall be final and not appealable."

Question. Is it the intent of this section to limit any voter's right to challenge voting procedures under the Civil Rights Act of 1957 as amended or under any other provisions of Federal law or the Constitution?

Answer. It was not the intent.

Question. Why is the decision of this court not appealable?

Answer. Subsection (b) is identical with comparable subsection of the act of September 12, 1955, except that the name of the court of final appeal has since then been changed to the District of Columbia court of general sessions. The finality of the decision in that court is undoubtedly dictated by the fact that time would not normally be available to carry an appeal through additional courts. In the 3 election years—1956, 1960, and 1964—no appeals on refusal of the right to register have been brought to the District of Columbia Board of Elections.

61. Balloting and voting machines may show party affiliations, emblems, or slogans.

Question. Does this section (sec. 810(a)) operate to the disadvantage of the independent candidate?

Answer. Section 810(a) would permit ballots and voting machines to show party affiliations, emblems and slogans. This would not necessarily operate to the disadvantage of the independent candidate. A political party is simply an organization behind a candidate for political office. Presumably an "independent" candidate would have some sort of organization of the people working on his behalf which could be identified

by a name, an emblem, or a slogan. In general parlance, an "independent" candidate is thought to be a candidate not affiliated with the two major parties or with other established or continuing political parties in a community. For example, "Arlingtonians for a Better County" in neighboring Arlington is considered to be an "independent" political organization and its candidates "independents" by the Civil Service Commission even though it is a political organization of many years' standing.

Question. Section 810(c) makes inapplicable to elections held under this act that section of the Hatch Act which provides: "No officer or employer in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or political campaigns." Section 1501(c)(5) makes criminal efforts by a Federal employee, using his official authority, to affect the nomination or the election of any candidate for the office of Delegate. When does campaigning by the head of a Federal agency for the election or nomination of a friend to the office of District Delegate not by the fact of his campaigning itself imply the support of his office or his authority?

Answer. Section 1501(c)(5) amends 18 U.S.C. 595 which prohibits Federal officers or employees from using their office to affect the election of the President, Vice President, Members and Delegates to Congress, by including the District of Columbia among the States and territories covered by the prohibition. The Hatch Act does not cover persons paid out of funds appropriated to the President or heads of Federal departments and agencies appointed by the President. Thus the heads of agencies stand in the same relationship to elections for District Delegate as they do to other national elections.

62. Question. When a voter goes to the polls on election day in his precinct will he find a list of all the candidates for the District council or will he be asked only to vote for the candidate from his ward?

Answer. A list of all the candidates for council membership from all 15 wards could be posted at all the voting places throughout the city. Whether or not the names of all candidates in all wards would appear on every ballot, however, should probably be left to the discretion of the board of elections.

63. Section 811(g) provides for the board of elections disposition of challenged votes. If a voter's ballot is challenged and thrown out by the board of elections, this subsection does not provide for an appeal.

Question. Is there any mechanism under existing law for a voter to appeal from having his ballot voided?

Answer. 811(g) is identical with the comparable section of the act of August 12, 1955 (District of Columbia Code, 1–1109(e)), except that there is no provision that appeals from an unfavorable decision by the board of elections on a challenged ballot may be carried to the District of Columbia Court of General Sessions and that decisions by that court shall be final and unappealable. If considered desirable, similar provisions could be inserted in this bill.

64. Section 813 prohibits the interference with the registration or voting of a person because of his race, color, sex, religious belief or want of property or income.

Question. Was it the intent of the framers that a voter could be interfered with because of his national origin?

Answer. No. There would be no objection to the inclusion of the phrase "national origin" in the second sentence of section 813 (a).

65. Question. Isn't it an unusual procedure for the Congress to be presented with a charter act for the District of Columbia without such act having first been subject to two separate determinations by the voters of the District; namely, whether or not the voters want a charter act and a determination by the voters of what that act should contain? Charter acts usually originate from the people themselves.

Answer. Since shortly after World War II, proposals for home rule in the District of Columbia have originated in Congress or in the office of the President. The present bill, S. 1118, is the product of an evolutionary process in the course of which many public hearings have been held in Congress, before the District Commissioners or before their advisory bodies.

As recently as December 29, 1964, for example, a public hearing on home rule legislation was held by the Citizens Council of the District of Columbia. Statements were received from 24 organizations and 12 individual citizens, and were considered in drafting this bill. Although witnesses differed on some of the details, many expressed their intention, despite these differences, to support home rule legislation when it reached Congress. In elections held in 1956, 1960, and 1964, thousands of voters voted overwhelmingly in favor of home rule in the District. Proposals for a preliminary study by a charter commission have been rare and met with no apparent significant support.

This historical process has, in effect, achieved that which takes place in many other cities and would appear to have provided a full and complete opportunity for the residents of Washington to express their wishes.

In the three elections held since 1956 in the District of Columbia the following votes were cast in response to questions on the desirability of some form of home rule:

	For	Against
1956	18,333	1,234
1960	26,094	3,651
1964	72,674	12,106

HOME RULE SELLOUT

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the Washington Star brought the clamor for so-called home rule for the District of Columbia into sharp and undeniable focus yesterday with an editorial entitled "Home Rule Sellout."

With remarkable clarity, the Star cut through all the verbiage surrounding this issue and got right to the heart of the question with this sentence:

For the new compromise bill, if enacted, will accomplish nothing more than to permit this administration to rack up a few more Brownie points in the civil rights game.

How true that sentence is.

I would like every Member to have the opportunity to read this editorial before we are asked to consider this bill, and I make it available to any who might have missed it in yesterday's Star by inserting it here in the RECORD.

HOME RULE SELLOUT

The so-called bipartisan compromise bill introduced in the House last night, presumably with the administration's blessings, is advanced as a reasonable, acceptable basis for giving the District of Columbia home rule.

The unfortunate fact, moreover, is that in view of its political concessions this atrocious legislation might actually appeal to many Members of the House. But by no stretch of anyone's imagination could it be called reasonable, desirable, or beneficial.

It is an outrageous bill. Its pretensions toward meaningful self-government are illusory. Its enactment would be the cruelest sort of deception to play on this city and the people who live here.

The whole business of attempting to split the direct control of the Nation's Capital into separate Federal and local parts—which in the final analysis is what home rule is all about—is an exceedingly dubious proposition, with nothing in the entire 165-year history of this city to recommend its chances of success. Under the best of circumstances, we have no enthusiasm for the experiment.

President Johnson's original home rule bill, however, and the version in which it passed the Senate, at least attempted to provide a rational system of financial stability. Its crucial provision would determine the amount of the Federal Government's annual share of the cost of running the city, according to a in-lieu-of-taxes formula specified in the bill. It would make these amounts automatically available each year to the District, without the need for annual appropriation action by Congress. This would serve the essential purpose of assuring an adequate Federal payment to complement local taxes. Equally important to the concept of home rule, it would offer a basis on which an elected city council could draft and adopt, on its own authority, a city budget.

In abandoning the automatic financing feature, however, the new bipartisan bill commits the Federal Government to no continuing financial responsibility whatever to the city under home rule. And it reduces the claim of local fiscal responsibility to the level of a farce. Asked to explain the retrenchment, Representative MULTER, of New York, candidly told reporters last night that a head count of House Members' positions on the bill with the automatic financing feature included was "uncomfortably close." With this bone of contention removed, he said, there would be votes to spare.

This is no compromise. It is a crass political sellout.

And the most incredible thing of all is the report that President Johnson is likewise prepared to abandon the financing proposal—if he must in order to pass some kind of bill. How could this be? Last April, in sending the bill to Congress, the President defined this same feature as "essential to the proper assignment" of fiscal responsibility between the Federal Government and local citizens.

After their own intensive study, the liberal Democrats on the Senate District Committee agreed unanimously that the financing provision was "the heart of the entire home rule proposal." Schuyler Lowe, who has managed city-Federal fiscal affairs for many years as the District's chief administrative officer, says flatly that home rule government would be unworkable in the absence of such a provision. Without it, Representative SISK, of California, one of the leading liberal voices in the House, believes home rule would be a "hollow shell."

And last week in a confidential letter to the President, the District Commissioners expressed their own urgent concern about reports that the financing feature might be negotiable in the House. Their letter implied that home rule would be better killed than passed without adequate financial protection for the District, and of course, they were precisely right.

Yet, in the fever of political maneuvering, with the showdown vote in the House only 4

days away, all the legitimate concerns about the basic issues of home rule now seem to have gone by the boards. Why? The answer lies in Mr. MULTER's comments, quoted above. The whole thrust of the home rule drive now, it seems, is to pass a bill—any bill, at any cost.

We trust, however, that this will not be the sense of the House next Monday. For the new compromise bill, if enacted, will accomplish nothing more than to permit this administration to rack up a few more "Brownie" points in the civil rights game. It will do so at incalculable cost to the future of the Nation's Capital.

REALINEMENT OF CIVIL RIGHTS ACTIVITIES

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the recommended reassignment of civil rights functions throughout the Government which the Vice President has recommended to the President—and in which the President has concurred—constitute an opportunity for strengthening and streamlining of the entire civil rights effort of this administration.

As Members know, the Vice President, as Chairman of the President's Committee on Equal Employment Opportunity, has been engaged for some time in a careful review of the operations of all of the various Federal agencies involved in the field of civil rights.

His recommendation is based upon the conclusions of this review.

In essence the Vice President's study shows that the time has now come when operating functions for civil rights can and should be performed by departments and agencies with clearly defined responsibilities for the basic program.

This means that the responsibilities for administering these functions to achieve the goals desired will be placed even more directly upon individual Cabinet and agency heads in furthering civil rights achievements within their own programs.

This consolidation is to be one of the most far-reaching moves that this administration could take. Besides eliminating overlapping responsibilities the recommendation to place the responsibility for the civil rights program on each officer and employee of the Federal Government will lead to an even more effective consideration of our objectives—equal opportunity for all Americans.

HOUSE RESOLUTION 560—THE EFFECT ON LATIN AMERICA

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I would like to address myself today to House Resolution 560, which I voted against on Monday, September 20, 1965.

This resolution in the form in which it was presented to the House, authorizes unilateral military intervention by any Western Hemisphere nation into the internal affairs of any other nation in the Western Hemisphere if, in the sole opinion of the intervenor, Communists are involved. The resolution authorizes such military intervention with or without the consent of the nation concerned.

House Resolution 560 has already done great harm to the U.S. interests in the Western Hemisphere. The reaction, from all points on the political spectrum, has been overwhelmingly negative. The Congresses of Peru and Colombia have passed unanimous resolutions denouncing House Resolution 560 and there is widespread concern in Latin America that our policy is shifting from one which emphasized collective security to one of gunboat diplomacy. Anger is rising in every Latin American capitol, and justly so.

House Resolution 560 nullifies our treaty commitments under the Charters of the Organization of American States and the United Nations. It lessens our ability to deal effectively with the Communist menace in Latin America. It already has aroused our Latin neighbors' fears that we intend to return to a militaristic policy.

The resolution will be food for the Communist gristmills in Latin America. The Communists will use it to prove that we neither respect nor trust our Latin neighbors' sovereignty or ability to manage their own affairs. It is likely to cause the conversion of many Latin Americans to communism and infinitely impede our efforts in the struggle with the Communists for control of the Latin American nations.

This is not the Monroe Doctrine, which for so many years protected the Latins from European interference. It speaks of internal affairs, not just external threats. It is not compatible with the Consultation of Ministers of Foreign Affairs Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance which the resolution cites, for that declaration spoke only of external aggression and outside intervention. It was based on Cuba's recent arms shipments to Communist elements in Venezuela.

To be sure, the Latin Americans respect strength. But they respect only strength used in a just cause, not naked power rawly wielded irrespective of their interests.

The whole Latin effort has been to become respected as partners with "the colossus of the north" and to prevent unilateral intervention in their internal affairs. These sentiments are loudly echoed at every inter-American conference and the United States has respected them.

Establishment of the Alliance for Progress and the Organization of American States brought us far along the road to securing Latin confidence in our espousal of those principles. House Resolution 560 undermines our commitment to these principles and institutions. It is misguided and mischievous and has already begun to harm us and our neighbors to the south.

HOUSE RESOLUTION ON LATIN AMERICA

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, the reaction in Latin America to House Resolution 560 recently passed by this House has been critical, and I might say predictable.

The point that the distinguished minority leader made the other day with regard to the report has been highlighted by unanimous resolutions passed by the legislative bodies in both Colombia and Peru, and has been the subject of sharp criticism in Brazil, Mexico, Argentina, Venezuela, and Chile.

Two things are indicated: The State Department should be forthright with regard to its position on the resolution—over and beyond its clarification of September 21—and it should reaffirm its commitment to the principle of collective security.

Second. I think this House should consider a resolution which would reaffirm our commitment to the collective security system of the Americas under the Inter-American Treaty of Reciprocal Assistance and the Charter of the Organization of American States; our determination to maintain a common defense against aggression and subversion within the Americas, including efforts to subvert free institutions by infiltration and other forms of interference in the internal affairs of any nation in the Americas; and our active support of the Alliance for Progress with emphasis on self-help and mutual cooperation, economic integration of the Americas through common markets, free trade areas, or other appropriate means. Moreover, in my judgment, the resolution should state our intention to improve the authority and capability of the OAS to take timely action in emergencies affecting the peace and security of any nation in the Americas.

I intend to introduce on Monday a concurrent resolution along these lines with Members from both sides of the aisle.

As of possible interest to Members, under unanimous consent I include reports on the reaction to House Resolution 560 in a number of Latin American countries and in the United States:

[From the Washington (D.C.) Star, Sept. 23, 1965]

HOUSE STAND ON FORCE IS DENOUNCED BY LATINS

LIMA, PERU.—Some Latin American countries have reacted angrily to a resolution passed by the U.S. House of Representatives approving the use of force in any American nation threatened by a Communist takeover.

The Congresses of both Peru and Colombia passed unanimous resolutions of their own condemning it. Newspapers from left to right were hostile and there has been no favorable comment.

The U.S. resolution said "acts possessing characteristics of aggression and intervention carried out against one or more of the member states of the Organization of American States may be responded to either in individual or collective form, which could go as far as resort to armed force."

The resolution merely expresses the feeling of the House. It does not require Senate action and does not fix administration policy.

"AMERICAN IMPERIALISM"

Peru's lower House of Parliament voted to "protest and reject" the resolution, saying it was "American imperialism in hemisphere affairs." It called the U.S. move "pretentious."

An Argentine Government official said he found the U.S. resolution "baffling."

"It will give Communists and leftists fresh ammunition. It can result in renewed attacks against the United States and charges of intervention and imperialism at the United Nations General Assembly," he said.

Communist Cuba's government-controlled newspapers called the resolution "another example of North American interventionist imperialism."

The Colombian Congress voted a unanimous denunciation of the U.S. House resolution Tuesday. The Colombian Congress called it "openly regressive and contrary to the juridical and political system of Latin America."

The Colombian Congress demanded that legislators meet to decide what action to take.

Liberal Senator Julio Cesar Turbay, former Foreign Minister, said, "The U.S. House resolution provokes every kind of doubt and misgivings."

In Venezuela, the governing Democratic Action Party condemned the resolution.

Brazilian newspapers of all parties denounced the resolution. "Precipitate, indefinate and unilateral," the Journal do Brasil called it. Ultima Hora said it "reduced the Charter of the Organization of American States to a dead letter."

"UNITED STATES DOESN'T CARE"

All shades of public opinion in Mexico denounced the House resolution.

"It's a clear indication that the United States doesn't care about the opinions or the rights of the rest of the countries of our hemisphere," said a spokesman for the Popular Socialist Party.

"The unilateral declaration of the United States that this or that country was threatened of falling under communism would be enough for that country to be invaded by the Yankee army," said the spokesman, Francisco Ortiz Mendoza, a member of the Chamber of Deputies.

Both conservative Excelsior and Novedades newspapers disagreed with the resolution.

[From the Washington Post, Sept. 24, 1965]

LATIN AMERICAN ANGER BRINGS REACTION ON HILL

(By John M. Goshko)

Administration efforts to affirm good will toward Latin America are being swamped in a flood of Latin anger over a House of Representatives resolution approving the use of force in any American nation threatened by a Communist takeover.

As of last night, the Congresses of two Latin countries—Peru and Colombia—had passed unanimous resolutions of their own denouncing the House action.

And the press and political sector in the rest of Latin America have started to produce anti-American criticism more intense than anything since the U.S. intervention in the Dominican Republic last April.

CLARIFICATION ASKED

So intense has been the outcry that Senator JACOB K. JAVITS, Republican, of New York, rose in the Senate yesterday to appeal for clarification of the confusion "about what our policy now really is toward Latin America."

On Monday, after almost no discussion, the resolution passed the House by an overwhelming vote. It says that any hemispheric country is justified in unilateral use of force to combat Communist subversion. Before passage the State Department expressed neither approval nor dissent.

The resolution merely expresses the feeling of the House and is not binding on administration policy. However, the Latins seem to regard it as an invitation to ignore the provisions in the Organization of American States Charter forbidding intervention in the internal affairs of any member state.

CONFERENCE MAY BE DELAYED

For this reason, several Latin governments already have suggested privately that the Inter-American Conference of Foreign Ministers, unofficially expected to begin in November, be put off until next March. Otherwise, these governments have warned, the Conference probably will bog down in anti-U.S. recrimination.

If the postponement takes place, it would mark an ironic ending to a month that the administration had earmarked as a time for reemphasizing hemispheric solidarity.

To this end, the administration staged a glittering White House reception and a major speech by President Johnson to mark the fourth anniversary of the Alliance for Progress. Mr. Johnson also sent Jack Hood Vaughn, Assistant Secretary of State for Inter-American Affairs, on a whirlwind goodwill tour of Latin America.

Things began coming apart 2 weeks ago, however, when Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, delivered his attack on the Santo Domingo intervention. Then, in the midst of the controversy surrounding FULBRIGHT's speech, the House pushed through the resolution sponsored by Representative ARMISTEAD I. SELDEN, JR., Democrat, of Alabama, chairman of its Inter-American Affairs Subcommittee.

Yesterday, as reports from almost every Latin capital told of rising anger, the subject continued to occupy the attention of U.S. Congressmen.

JAVITS criticized the House resolution as "particularly unfortunate" and said that if U.S. policy was as stated in the resolution, it would justify criticism that Washington is opposed to progressive forces in Latin America.

The New York Republican called for clarification of the U.S. stance through a Senate resolution that would reaffirm the faith of Congress in the Alliance for Progress as "the framework for nonviolent but accelerated social and economic development of Latin America."

In the House, however, SELDEN continued to press the view of the congressional faction concerned about communism in the hemisphere. In a lengthy speech, he defended the administration against FULBRIGHT's attack and reechoed charges that a background document published by FULBRIGHT's committee was compiled primarily from press sources hostile to U.S. actions in Santo Domingo.

While this battling went on, the administration continued to maintain its almost total silence about the resolution. The State Department's only comment has been to say it agrees with the aims but feels that the wording is open to unfortunate interpretations.

What some of these interpretations are was made clear by yesterday's reports from Latin America. The resolution passed by the Peruvian Parliament called the House action "American imperialism in hemisphere affairs," while that adopted in Colombia described it as "openly regressive and contrary to the juridical and political system of Latin America."

The Televisora Nacional network in Panama City on September 22, 1965, broadcast a station commentary entitled "An Unacceptable Resolution" which reads as follows:

With great astonishment, we have found out that the U.S. House of Representatives approved a resolution that says the United States or any other American state has a right of unilateral military intervention in order to keep communism out of the Western Hemisphere. This resolution is unacceptable for any country that considers itself free and a master of its own destiny. To accept such an idea would be the same as trampling on the national dignity and decorum of the Latin American countries. Although it lacks the force of a law, this resolution involves a serious danger for the inter-American system and for maintaining the principle of nonintervention and self-determination of peoples, a principle on which is based our continental legal organization.

The State Department has rushed to say that the resolution is not in harmony with U.S. foreign policy. Nevertheless, one cannot underestimate the importance of this resolution. To try to establish the old interventionist policy as a legislative measure is just the same as insisting upon disregarding the lessons of history. It is a good idea to say once again that neither now or ever, or for any reason, will the Latin American countries tolerate foreign intervention in the domestic affairs of our nations.

True to the long struggle of the Panamanians to defend and uphold sovereignty and national independence, we wish to publicly state our most energetic protest over the resolution approved by the U.S. House of Representatives since it is contrary to the interests of our republics and because its approval is an insult to the dignity and decorum of Latin America.

Radio Cadena Nacional in Bogotá, Colombia, said:

By an absolute majority vote last night the [Colombian] Senate approved a motion to repudiate the U.S. House of Representatives' granting President Johnson authorization to intervene unilaterally, and when he so deems it necessary, in any American country which, in the opinion of the U.S. Government, is menaced by communism.

The [Colombian] Senate resolution likewise invited Latin American Congressmen to meet on a near-future date in Bogotá to study the U.S. decision, which was considered in the Congress as "absurd, out of line, and perilously hostile."

Julio Cesar Turbay Ayala and Alfonso Lopez Michelsen bitterly censured the North American move and demanded an opinion on it from the National Government. They were the main backers of the motion.

A report from Santiago, Chile reads:

We are fully confident that the Chilean Government, and especially the President of the Republic, who directs the nation's foreign relations, will defend with dignity and firmness the principles of self-determination, says a declaration by the Christian Democratic Senators. They were protesting a motion adopted by the U.S. House of Representatives stating that armed intervention is justifiable against any Communist subversion in any country in America.

The influential daily El Mercurio also terms the motion adopted by the U.S. Chamber as unusual. "It is not the prerogative of the signers of the Mutual Assistance Treaty," says the paper, "or of any others to decide unilaterally on the occasion or the measure to be taken to quell or fight foreign intervention in the hemisphere. If it were so, a determination of the circumstances or the procedures would be left to the subjective appreciation of whoever felt himself under the obligation of acting in real or supposed protection of another. This would lead to unrestricted intervention."

What Latin America should do, adds the editorialist, is to define in its juridical system and its international organisms, the formula with which to fight jointly against this new danger—subversive infiltration—and to constitute a joint force, to be placed at the command of an authority elected by all, in order to organize a real defense against foreign aggression and to maintain a nonintervention which would prevent the trampling of sovereignties.

And another from Caracas, Venezuela also repudiates House Resolution 560:

Democratic Action Party leader Salom Meza stated today that he opposes the resolution just approved by the U.S. House of Representatives, a resolution which endorses U.S. intervention in any country of the hemisphere. He said: "We reject the resolution because we have always repudiated the interference of a foreign country in our internal affairs."

Senator Lorenzo Zamora stated the resolution of the U.S. House of Representatives "means a manifest violation of the principles of the self-determination of nations, nations which will not tolerate any intervention in their affairs or a violation of their sovereignty."

"IN TIMES LIKE THESE"

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PRICE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. PRICE. Mr. Speaker, every generation is fortunately entitled to a few great men and women and more fortunately even to a few Christ-like individuals. I ask unanimous consent that the article by Dr. and Mrs. George S. Reuter, Jr., be printed in the CONGRESSIONAL RECORD. Dr. Reuter is professor of education at Southern Illinois University at Edwardsville, and Dr. Henry H. Halley, Jr., a well-known physician of Alton, is the son of one of the major characters in the article "In Times Like These":

IN TIMES LIKE THESE

(By Dr. and Mrs. George S. Reuter, Jr.)

Dr. C. Gordon Brownville, of Boston—one of God's greatest creatures of all time—recently stressed the importance and beauty of the song entitled "In Times Like These." In the weeks that have followed, this song has returned to our thinking in the departure from this world on May 23, 1965, of Dr. Henry Hampton Halley, at the age of 91, and the passing of Ambassador Adlai Ewing Stevenson on July 14, 1965, at the age of 65. Yes, and C. Norman Dold at the age of 67 on August 3, 1965.

Dr. Halley, a nephew of the English scientist who named Halley's Comet, was the famed author of "Halley's Bible Handbook." Dr. Halley began the book in 1924 as a 16-page leaflet of favorite scriptures, designed for memorization by readers, and it has grown to about 1,000 pages. This book is now in its 24th edition with a distribution of over 2,500,000 copies. It represents the finest scholarship of a lifetime dedicated to the Bible and its message. Dr. Halley was born in Kentucky, but was a long-time resident of Chicago.

Governor Stevenson really uttered the epitaph for himself, Dr. Halley, and Mr. Dold on November 3, 1952, when he said: "I have said what I meant and meant what I said. I have not done as well as I should like to have done, but I have done my best, frankly and forthrightly; no man can do more, and you are entitled to no less."

Mr. Dold was a past president of the Executive Association of Chicago, the Central Lions Club, the Chicago Baptist Association, and the National Pest Control Association. He was chairman of the board of the Schneibel Co. of Detroit, a director of Oatman Dairy Co., of the official board of North Shore Baptist Church, a vice chairman of Commercial Point Camp, Lake Geneva, Wis., a member of the board of the Chicago Bible Society, and a member of the board of Northern Baptist Theological Seminary.

In times like these everything is laid aside except the knowledge that Dr. Halley's pen, Governor Stevenson's voice, and Mr. Dold's kindness were as eloquent as mankind has ever known in all of Christian history. Every American can be proud that these distinguished citizens epitomized in their persons and in their advocacy the idealism, the practical content, the great influence, the sheer force of character, the intellect, the integrity, and the ideas that humanity will never forget. The public will, however, reap the greatest benefits from these three noble lives by reviewing our historical heritage, their contributions, and then working for a greater tomorrow.

YESTERDAY'S WORLD

The Old Testament depicts God as the Creator, the giver of a man's spirit, and as forever bestowing His spirit upon man in beneficence. Man today, no less than Old Testament man and the New Testament successors, stands woefully in need of renewal of spirit. Only as we understand history can we improve the future.

Fly with us across Greece, looking down on jumbled ruins of the age when democracy was born, only to die from cancerous cells in the body politic. Then, go to Istanbul and view the ruins left by conquering Romans. Think of Constantine who gave his name to that seat of temporary empire for it, too, rose and fell. Think of the vast Ottoman Empire that flourished and decayed. These are but a few examples that are recorded in history.

Let's pause and consider our own Nation, because we have the God-given chance to avert the course of history. We believe Governor Stevenson is still right as when he stated: "I do not believe in the words of Winston Churchill 'that God has despaired of His children.'" In fact, our precedents, traditions, and institutions are the bone and sinew of history. Our Fathers in founding a government of, by, and for the people earnestly sought the guidance of Almighty God. The Mayflower compact was signed, "In the name of God, amen." The Declaration of Independence was concluded "with a firm reliance on the protection of divine providence."

On June 7, 1776, a slender, keen-eyed Virginia aristocrat named Richard Henry Lee rose, against his better judgment, to place a resolution before the Second Continental Congress, meeting in Statehouse in Philadelphia. He proposed: "That these united colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

Then, the signing of the Declaration of Independence brought to the English-speaking world its second, and perhaps the most important document. Like the Magna Carta, it bespoke the rights and aspirations of free men. Finally, the men who composed the Constitutional Convention of 1787 were wise men. They knew that the surest way to protect the fundamentals of the Government they desired to establish and the liberties of the citizens they wished to secure was to enshrine them in a written constitution.

It is thus easy to see the spirit of God at work as great thinkers, great writers, great composers, great painters, and great citizens burst forth with a renewal of spirit. Ultimately, indeed, it is in the present spirit of God that man finds renewal of his spirit. It is for this reason that we, like biblical man, find renewal most often when we seek the presence of God in worship, private or collective.

Educated individuals cannot be insensitive to the countless millions who go to bed hungry at night or to the social injustice of racial discrimination. It is our individual and collective responsibility to seek understanding and resolution of these problems which threaten the peace and security of the world and the welfare of the individual. In fact, the future of our Nation and our civilization rests upon the ability of our educated men and women to provide the leadership and philosophy to carry us forward to what could be a great new world. Governor Stevenson has described the proper attitude: "We travel together, passengers on a little space ship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and peace; preserved from annihilation only by the care, the work, and I will say the love we give our fragile craft. We cannot maintain it half fortunate, half miserable, half confident, half despairing, half slave—to the ancient enemies of man—half free in a liberation of resources undreamed of until this day. No craft, no crew can travel safely with such vast contradictions. On their resolution depends the survival of us all."

Dean Samuel Miller of Harvard Divinity School has added these ideas: "The revolutionary changes that have been wrought in our world demand a new kind of person. Whatever form it takes, it will matter little if we, in all our suffering, cannot produce a person having such inner magnitude as to pull the mad chaos of our world into some kind of new shape, to put the impress of a larger spirit on it." And Julian Huxley has reminded us that evolution is now a cultural rather than a purely biological process and that man has the fearful responsibility of guiding it.

We must realize, however, man is bound by his own prejudices, his own insensitivity, his failure to assimilate the cumulative experiences of life. Attitudes and philosophies influence our perception and human behavior. It is the result of the stimuli of the external world upon the internal functions of the mind. One needs look at only two examples. First, in 1691, the charter adopted by Massachusetts required that a voter possess a 40 shilling freehold; that is, real estate that rented for 40 shillings a year, or any property, other than real estate, that was worth 40 pounds sterling, approximately 54 pounds in colonial money. The second example concerns the famous Wendell Phillips who once said: "I will come and lecture on ancient civilization for $500 and expenses. I will come and lecture on the abolition of slavery for nothing and pay my own expenses."

Of course Historian Carl Becker has noted: "Every generation will understand the past and anticipate the future in the light of its

own restricted experience. It must inevitably play the dead whatever tricks it finds necessary for its own peace of mind—a necessary effort on the part of society to understand what it is doing in the light of what it has done and what it hopes to do."

Currently America discriminates among nations on the basis of birthplace. The national origins provisions are harmful to our international interests, because they breed hatred and hostility toward the United States. Comity among nations is blocked without serving any national need or international purpose.

Finally, we must remember that America will help destroy the foul growth of atheistic communism, not merely by the denunciation of the things she is set to deplore, but with the blazing torch of the things she is for. There is nothing we need more in our Nation and in Christianity than to be aware of the futility of the negative. Yes, and one of our greatest responsibilities is to develop personal values which will create some kind of order and harmony and proportion in our own lives and in a world afflicted by unrest and uncertainty, by a breakdown of many of our standards of excellence. In the past, when our Nation seemed to be in peril, Americans rallied around. But when danger lessens, many of us do some backsliding. We are indeed living in a dangerous age. The passing of Dr. Halley, Mr. Dold, and Governor Stevenson from this world should cause humanity to restudy goals and thus prepare to move forward.

WITH THE GREAT

For several years we shared the honor with Dr. and Mrs. Halley and Mr. and Mrs. Dold of being members of the famed North Shore Baptist Church of Chicago. We witnessed the 1961 Gutenberg Award to Dr. Halley by the Chicago Bible Society. Later, we saw Northern Baptist Theological Seminary give him an important citation, along with Dr. Billy Graham. Finally, in the fall of 1964, we returned to Chicago to see Dr. Halley cited by the Church Federation of Greater Chicago before a mutitude of all denominations. Yes, and this great "Bible scholar, faithful follower of Christ, and benefactor of the Bible cause," and his dear saintly wife, gave us choice times of conversation. They were our guests, with Dr. and Mrs. John Roy Wolfe, at dinner in the summer of 1964, where many gems were gleaned in conversation. Finally, after Dr. Halley's death and burial in Lexington, Ky., we had the rare opportunity of reviewing his career with Mrs. Halley on two occasions.

Dr. Halley reminds us of Charles Kingsley in many ways. Kingsley went to Eversley, England, after he had been graduated from Cambridge—graduated with top honors. He was highly endowed. So much so that people thought he would become Archbishop of Canterbury. Kingsley went to Eversley, however, with its little broken down church and its ignorant population. He stayed 33 years—his entire ministry. He never would go anywhere else. Yet, England wore a pathway to that little church to hear him preach. He wrote books in the rectory next door that were read around the world. He went up and down England as a prophet of social reform. He was chaplain to the Queen. He preached in the cathedrals. But never would he take any honor that would have taken him out of Eversley.

Probably our greatest experience with Governor Stevenson happened on March 13, 1965, when we were invited by the United Federation of Teachers to come to the annual John Dewey Award banquet in New York City. The famous son of Illinois was given this important award. The meeting was held in the New York Hilton; the grand ballroom was crowded; Governor Stevenson delivered a great address, and our cousin, Jerry Cervantes, agrees with us that the event was one of the greatest days in our lives.

A BRIGHT TOMORROW

We may go through this big, buzzing confusion that we call life and partake of its joys and sorrows, its triumphs and defeats, and one day go through that little black door called death, yet having missed life almost completely. Galsworthy said of one of his characters that he had experienced everything else but life itself.

Instead, let us draw again a bit of pure water from the well of life. There is enough for all of us if we will praise the Lord as we draw out the water, because man has the choice of being a nonbeliever or a dedicated servant of his God-given heritage. A free society hinges on what we decide to select.

Some day when the last cruiser is scrapped as old iron and the last dictator releases his iron hold on regimented people, the words of Jesus will stand unrefuted and irrefutable. The future is with Him.

"Subtlest thought may change
And learning falter
Churches change, forms perish, systems go,
But our human needs, they do not alter.
Christ, no after age can e'er outgrow."

To Dr. Halley's widow and his children, to Mr. Dold's widow and his children, and to Governor Stevenson's children and sister, the world owes a great debt and must express a deep emotion in times like these, but mankind should remember the favorite prayer of Governor Stevenson in the days ahead. It is the prayer of St. Francis of Assisi:

"Lord, make me an instrument of Thy peace; where there is hatred, let me sow love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy.

"O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned and it is in dying that we are born to eternal life."

TRIBUTE TO SENATOR EDWARD M. KENNEDY FOR LEADERSHIP ON IMMIGRATION REFORM

Mr. GETTYS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BOLAND. Mr. Speaker, it is indeed gratifying to me, and, I am sure, to many other Members of the House, that the Senate has passed the immigation reform bill, and the legislation is now in a Senate-House conference. This legislation removes the offensive national origins quota system which has been the basis for our immigration laws for more than 40 years. Ever since coming to Congress 13 years ago, I have advocated liberalization of the immigration laws and sponsored legislation to carry out this proposal.

Our late beloved President, John Fitzgerald Kennedy. sponsored similar bills in the Senate, for he recognized that the national origins quota system was discriminatory. As President of the United States, John F. Kennedy sent to Congress in 1963 immigration legislation that called for major reforms in U.S. immigration policy, including abolition of the national origins quota system. President Lyndon Johnson has been a strong supporter of these proposals, and marked the immigration bill as one of his "must" pieces of legislation in the 1st session of the 89th Congress.

Mr. Speaker, I think it was quite appropriate that our late President's brother, Senator EDWARD M. KENNEDY, of Massachusetts, played a leading role in forging this legislation in the Senate Judiciary Committee and then was assigned to floor manage the bill in the Senate this week. Senator KENNEDY is to be commended for his leadership in the fight to reform our immigration laws. I want to pay tribute to him at this time, for he has proven himself to be a prepared, knowledgeable, and skilled debater. He has demonstrated his maturity and outstanding ability to floor manage an important and complex piece of national legislation. And Senators and the Senate leadership on both sides of the aisle have recognized Senator KENNEDY's extraordinary capacity to handle such important assignments in the Senate.

Mr. Speaker, I include with my remarks an editorial on the immigration reform bill, printed in the Springfield, (Mass.) Union on September 22, and an excellent article by James S. Doyle, Washington correspondent, in the Boston Globe of September 23, entitled "KENNEDYS Triumph on Quota Bill":

[From the Springfield (Mass.) Union, Sept. 2, 1965]

IMPROVING IMMIGRATION

Congress is completing action on the first major reform of immigration policy in more than 40 years. The measure now emerging is the product of decades of study and debate. Though still controversial in a few respects, it is basically wise legislation, and certainly more equitable than the policy it will replace.

It will abolish the national quota system imposed in the early 1920's to reduce the flow into the historic "melting pot" and stabilize the ethnic makeup of American society. But it will not, as some have feared, reopen the gates indiscriminately and flood the labor market to the point of tragically increasing the employment rolls.

Foreigners wishing to come to America will be placed on a generally equal footing as far as nationality is concerned (the present quota system heavily favors northern Europe). But one of the several priority brackets covers members of the arts and professions, and artisans whose skills are in demand. Another favors young children of parents already naturalized in this country. Still another would ease the way for refugees from racial or political persecution.

All in all, the potentially harmful effects are hard to find. Trained, talented and useful persons will fit readily into the existing national fabric. Youngsters not yet ready for jobs will not displace anyone else immediately. And the humanitarian philosophy underlying the measure is in the great American tradition. That tradition became somewhat tarnished while countries with large quotas were no longer able to fill them and countries with small quotas built up huge waiting lists of nationals anxious to test the New World's promise.

The House found ample reason for reform when it passed the immigration measure 318 to 95 last month. Notably, Senate passage now is being urged by both Senators KENNEDY and SALTONSTALL, of Massachusetts, a State whose population is more than two-fifths foreign-born or first generation resi-

dents. The Senators' efforts merit support, now, and applause after the deserved success is achieved.

[From the Boston (Mass.) Globe, Sept. 23, 1965]

KENNEDY'S TRIUMPH ON QUOTA BILL

(By James S. Doyle)

WASHINGTON.—The Senate ended a week's debate Wednesday with an overwhelming vote to strike down the 41-year-old national origins immigration laws and increase present immigrant quotas by about 50,000 a year.

The vote was 76 to 18. It came after the 18 opponents, mostly southerners, had dragged their feet in extended debate since last Thursday. Eleven New England Senators were recorded in favor; only one, NORRIS COTTON, Republican, of New Hampshire, against.

It represented another victory for the Johnson administration, but even more so, a victory for the Kennedy brothers.

John F. Kennedy, author of an eloquent plea for reforming the immigration laws ("A Nation of Immigrants"), had fought for the bill through his time in Congress and the Presidency.

And his brothers ROBERT and EDWARD continued the fight during the past 5 days, joining in debate against opponents who sought both delay and crippling amendments.

Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, made his debut as floor manager of major legislation with this bill. He had nursed it through months of hearings before a Judiciary Subcommittee, and was given the floor manager's assignment by Senator JAMES O. EASTLAND, Democrat, of Mississippi, head of the Judiciary Committee.

EASTLAND was an opponent of the immigration reform, and one of the principal reasons why passage took so much time near the end of a session, despite the topheavy Senate support for the measure.

KENNEDY and Senator JACOB K. JAVITS, of New York, the Republican floor manager, had to accept one big amendment in order to avoid chances of an all-out filibuster.

This amendment puts limitations on immigration from the Western Hemisphere—Canada and Latin America—for the first time.

These limitations would go into effect in July 1968, after a lengthy study of how to allocate the hemisphere quota of 120,000 persons among the countries, based on maintaining current immigration rates whenever possible.

The bill must now go to a House-Senate conference committee, since the House earlier rejected hemispheric limitations.

The old principle of favoring Western Europeans, especially over Asians and Africans, would end when the bill finally becomes law, and a policy stressing the reunification of families, valuable working skills and general fitness of the immigrant would replace it.

The bill, sponsored by Senator PHILIP A. HART, Democrat of Michigan, would maintain an annual immigration total of 170,000, plus another 50,000 to 70,000 that would enter outside that quota because they are members of immediate families of U.S. citizens.

All unused quotas under the new priorities established would not be canceled, as happened under national origin quotas. They would go into a pool for "new seed" immigrants.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DYAL, for September 24–26, on account of official business.

Mr. DUNCAN of Oregon (at the request of Mrs. GREEN of Oregon), for September 24, on account of official business in district.

Mr. TUCK (at the request of Mr. ALBERT), for Friday, September 24, on account of death in the family.

Mr. HANSEN of Iowa (at the request of Mr. ALBERT), for the remainder of this week, on account of official business.

Mr. BOGGS (at the request of Mr. ALBERT), for the remainder of the week, on account of official business.

Mr. STALBAUM (at the request of Mr. ALBERT), for the remainder of the week, on account of official business in district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. GETTYS) to revise and extend their remarks and to include extraneous matter:

Mr. FEIGHAN, for 30 minutes, on September 27.

Mr. CAMERON, for 60 minutes, on September 29.

Mr. MOSS, for 60 minutes, on September 29.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ALBERT to revise and extend his remarks made in the Committee of the Whole during debate on H.R. 3140 and to include a copy of the joint statement of the President of the United States and the President of Panama.

Mr. CHAMBERLAIN his remarks today and to include extraneous matter.

(The following Members (at the request of Mr. DEVINE) and to include extraneous matter:)

Mr. WYDLER.

Mr. MICHEL.

(The following Members (at the request of Mr. GETTYS) and to include extraneous matter:)

Mr. BROOKS.

Mrs. KELLY.

Mr. PATTEN.

Mr. SICKLES.

Mr. MCVICKER.

Mr. NIX.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2126. An act for relief of Sook Ja Kim, Al Ja Kim, and Min Ja Kim; to the Committee on the Judiciary.

S. Con. Res. 53. Concurrent resolution authorizing the printing of the report of the proceedings of the 42d biennial meetings of the Convention of American Instructors of the Deaf as a Senate document; to the Committee on House Administration.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the following title:

S. 2127. An act to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, and for other purposes.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7969. An act to correct certain errors in the tariff schedules of the United States, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On September 23, 1965:

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 4152. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes;

H.R. 4603. An act for the relief of Lt. (jg.) Harold Edward Henning, U.S. Navy;

H.R. 7090. An act for the relief of certain individuals;

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross;

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris; and

H.R. 10323. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

On September 24, 1965:

H.R. 5842. An act to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961; and

H.R. 9221. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

ADJOURNMENT

Mr. GETTYS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, September 27, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1620. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations on an interim hurricane survey of the Massachusetts coastal and tidal areas, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 293); to the Committee on Public Works and ordered to be printed with six illustrations.

1621. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and an illustration, on an interim hurricane survey of the New Hampshire coastal and tidal areas, authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 294); to the Committee on Public Works and ordered to be printed with one illustration.

1622. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend the act providing for the economic and social development in the Ryukyu Islands; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASHMORE: Committee on the Judiciary. S. 1620. An act to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto; with an amendment (Rept. No. 1094). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 11256. A bill to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 11257. A bill relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 11258. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 11259. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 11260. A bill to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 11261. A bill to provide for a program to advance the humane care, comfort, and welfare of laboratory animals used in scientific study; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 11262. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 11263. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM:

H.R. 11264. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 11265. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 11266. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees, to the Committee on Ways and Means.

By Mr. JONES of Missouri:

H.R. 11267. A bill to amend the joint resolution of March 25, 1953, relating to electrical and mechanical office equipment for the use of Members, officers, and committees of the House of Representatives, to remove certain limitations; to the Committee on House Administration.

By Mr. WHALLEY:

H.R. 11268. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. DYAL:

H. Con. Res. 515. Concurrent resolution requesting the President to refer the matter of the diversion of surplus arctic water to the International Joint Commission; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 11269. A bill for the relief of Mrs. Dorothy E. Kelley; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 11270. A bill for the relief of Carmen Taal; to the Committee on the Judiciary.

By Mr. GRIDER:

H.R. 11271. A bill for the relief of certain individuals employed by the Department of Defense at the Granite City Defense Depot, Granite City, Ill.; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 11272. A bill for the relief of Clement Lalezari; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 11273. A bill for the relief of Dr. Ivan Dimich and his wife, Dr. Aleksandra Bajsanki Dimich; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 11274. A bill for the relief of Selma Ibayashi; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 11275. A bill to provide for the free entry of one photomicroscope for the use of the Utah State Training School, American Fork, Utah; to the Committee on Ways and Means.

By Mr. KREBS:

H.R. 11276. A bill for the relief of Ning Sheng Huang; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 11277. A bill for the relief of Maria Fernandes Carvalho; to the Committee on the Judiciary.

SENATE

FRIDAY, SEPTEMBER 24, 1965

(Legislative day of Monday, September 20, 1965)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, from whom all holy desires and all good counsels do proceed, rise mercifully with the morning upon our darkened hearts. In this tragic and despairing world we are conscious of our woeful inadequacy to sit in the seats of judgment, to balance the scales of justice and to respond with equity to the myriad causes of human need. Wilt Thou crown our deliberations with Thy wisdom and with spacious thinking as we view human problems in terms of the whole globe. Light our eyes, we pray, with sympathy for all mankind as we face the questions which confront us and almost confound us. Quicken within us, we beseech Thee, every noble impulse and sanctify for Thy glory and for human good our best endeavors.

We lift our prayer in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 22, 1965, the President had approved and signed the following acts:

S. 192. An act for the relief of Maria Liberty Burnett;

S. 586. An act for the relief of Maria Tsilis;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 861. An act for the relief of Alva Arlington Garnes; and

S. 1919. An act for the relief of Laura MacArthur Goditiabois-Deacon.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1965

The Chair laid before the Senate the unfinished business, the report of the committee of conference on the disagreeing votes of the two Houses on the